



ROOM 489

ACT

Approved by the People, November 4, 1958

Chapter 684, Acts of 1958

and

ACTS AND RESOLVES

passed by the

General Court of Massachusetts

in the year

1959

TOGETHER WITH

RETURNS OF VOTES UPON QUESTION
SUBMITTED TO VOTERS

PUBLISHED BY

JOSEPH D. WARD

Secretary of the Commonwealth



BOSTON

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1959

The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND FIFTY-EIGHT.

AN ACT PROVIDING FOR THE ANNUAL ADJUSTMENT OF PENSIONS AND RETIREMENT ALLOWANCES PAYABLE TO PERSONS ENGAGED IN GAINFUL OCCUPATION AFTER RETIREMENT FOR DISABILITY.

Be it enacted by the People, and by their authority:

SECTION 1. Chapter 32 of the General Laws is hereby amended by inserting after section 91 the following section:—*Section 91A.* Every person other than a judge of a court pensioned or retired under any general or special law for disability, including accidental disability, shall in each year before the last day of January subscribe under the penalties of perjury and file with the board or officer by whom he was pensioned or retired a statement, in such form as such board or officer shall prescribe, certifying the full amount of his earnings from gainful occupation during the preceding year. If such earnings exceed, or when added to his adjusted pension or retirement allowance in such preceding year exceed, the regular compensation which would have been payable to such person in such preceding year had he continued in service in the grade held by him at the time he was pensioned or retired, he shall refund his adjusted pension or retirement allowance for such preceding year or a portion thereof equal to such excess, as the case may be; and until such refund is made, his pension or retirement allowance shall be withheld as security therefor. As used in this section, the term “adjusted pension or retirement allowance” shall be construed to mean the pension or retirement allowance remaining after deduction of such part thereof as represents the actuarial equivalent of accumulated deductions at time of retirement and any additional annuity obtained by special purchase.

If any person pensioned or retired as aforesaid fails to subscribe and file before January thirty-first in any year the statement prescribed by this section, the board or officer by whom he was pensioned or retired, unless such board or officer finds good cause for such failure, shall withhold his pension or retirement allowance as security for any refund which such statement when filed may show to be payable under this section. Any person who files under this section a statement which is false shall make such refund as a true statement would have shown to be payable under this section, and, in addition, shall forfeit his pension or retirement allowance for such period as the board or officer by whom he was pensioned or retired shall determine.

If the office or position which such person held prior to his being pensioned or retired, or if the grade held by him at the time he was pensioned or retired is abolished, the regular compensation payable to such person in such preceding year had he continued in service in the grade held by him at the time he was pensioned or retired shall be deemed to be the regular compensation so payable of an office or position or grade the duties of which are similar, as determined by the director of the division of personnel, to the office or position held by him prior to his retirement.

SECTION 2. The provisions of section ninety-one A of chapter thirty-two of the General Laws, as appearing in section one of this act, shall apply to all persons pensioned or retired prior to the effective date of this act under any general or special law for disability, including accidental disability; provided, however, that so much of said section ninety-one A as relates to the refunding of a pension or retirement allowance shall not, in the case of persons so retired prior to said effective date, be applicable to income received by such retired persons during the year nineteen hundred and fifty-eight or prior years.

SECTION 3. The provisions of this act are hereby declared to be severable, and if any such provision, or the application of any such provision to any person or group of persons or circumstance shall be held to be unconstitutional, such unconstitutionality shall not be construed to affect the constitutionality of any of the remaining provisions of this act, or the application of such provisions or to persons or circumstances other than those to which it is so held unconstitutional.

Office of the Secretary, Boston, December 4, 1958.

I hereby certify that the foregoing law entitled "An Act Providing for the Annual Adjustment of Pensions and Retirement Allowances Payable to Persons Engaged in Gainful Occupation after Retirement for Disability" was approved by the People at the State Election held on November 4, 1958, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution, as amended by Article LXXIV of said Amendments.


FRANCIS X. AHEARN
Deputy Secretary of the Commonwealth.

ACTS AND RESOLVES

OF

MASSACHUSETTS

1959

 The General Court, which was chosen November 4, 1958, assembled on Wednesday, the seventh day of January, 1959, for its first annual session.

The oaths of office were taken and subscribed by His Excellency FOSTER FURCOLO and His Honor ROBERT F. MURPHY on Thursday, the eighth day of January, in the presence of the two Houses assembled in convention.

ACTS.

Chap. 1. AN ACT PLACING CERTAIN CLERICAL POSITIONS IN THE TOWN OF SWAMPSCOTT UNDER THE CIVIL SERVICE LAWS AND RULES.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 82 of the acts of 1958 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:— The provisions of chapter thirty-one of the General Laws shall, upon the effective date of this act, apply to all offices and positions in the town of Swampscott which are not already classified under said laws, including all clerical and custodial employees, employees of the school lunch program, the town accountant, the health agent and the clerks employed by the treasurer, by the collector of taxes and by the clerk of the town.

SECTION 2. This act shall take full effect upon its acceptance by a majority vote of the town meeting members of the town of Swampscott at an annual or special town meeting called for the purpose, but not otherwise.

Approved February 2, 1959.

Chap. 2. AN ACT PLACING THE POSITIONS OF REGULAR OR PERMANENT MEMBERS OF THE POLICE DEPARTMENT OF THE TOWN OF MILLIS UNDER THE CIVIL SERVICE LAWS.

Be it enacted, etc., as follows:

SECTION 1. The positions of regular or permanent members of the police department of the town of Millis shall, upon the effective date of this act, become subject to the civil service laws and rules, and the tenure of office of any incumbent thereof shall be unlimited, subject, however, to said laws. The incumbent of each of said positions on said effective date shall be subjected by the division of civil service to a qualifying examination, and if he passes said examination he shall be certified for said position and shall be deemed to be permanently appointed thereto without being required to serve any probationary period.

SECTION 2. This act shall be submitted to the voters of said town at the annual town meeting in the current year in the form of the following question, which shall be placed upon the official ballot to be used for the election of town officers at said meeting:—"Shall an act passed by the General Court in the year nineteen hundred and fifty-nine, entitled 'An Act placing the positions of regular or permanent members of the police department of the town of Millis under the civil service laws', be accepted?" If the majority of the votes in answer to said question is in the affirmative, then this act shall thereupon take full effect, but not otherwise.

Approved February 2, 1959.

Chap. 3. AN ACT PROVIDING LIFE TENURE FOR THE PRESENT INCUMBENT OF THE OFFICE OF HIGHWAY SUPERINTENDENT OF THE TOWN OF HOLBROOK.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of the present incumbent of the office of highway superintendent of the town of Holbrook shall be unlimited, but he may be removed therefrom for cause after hearing in the manner provided by section forty-three of chapter thirty-one of the General Laws.

SECTION 2. This act shall be submitted to the voters of said town at the annual town meeting in the current year in the form of the following question, which shall be placed upon the official ballot to be used for the election of town officers at said meeting:—"Shall an act passed by the General Court in the year nineteen hundred and fifty-nine, entitled 'An Act providing life tenure for the present incumbent of the office of highway superintendent of the town of Holbrook', be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise.

Approved February 2, 1959.

Chap. 4. AN ACT PROVIDING TENURE OF OFFICE FOR THE CHIEF OF POLICE OF THE TOWN OF PEPPERELL.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of Harold C. King, the incumbent of the office of chief of police of the town of Pepperell, shall be unlimited. Said incumbent shall not be removed from office, lowered in rank or suspended, except for just cause and for reasons specifically given him in writing by the board of selectmen.

SECTION 2. This act shall be submitted to the voters of said town at the annual town meeting in the year nineteen hundred and fifty-nine in the form of the following question, which shall be placed upon the official ballot to be used for the election of town officers at said meeting:—"Shall an act passed by the General Court in the year nineteen hundred and fifty-nine, entitled 'An Act providing tenure of office for the chief of police of the town of Pepperell', be accepted?" If a majority of the votes cast in answer to said question is in the affirmative, this act shall take full effect, but not otherwise.

Approved February 2, 1959.

Chap. 5. AN ACT PROVIDING LIFE TENURE FOR THE POLICE CHIEF OF THE TOWN OF LAKEVILLE.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of John S. Erwin, incumbent of the office of chief of police in the town of Lakeville, shall, upon the effective date of this act, be unlimited. Said incumbent shall not be removed from office, lowered in rank or suspended, except for just cause and

for reasons specifically given him in writing by the board of selectmen.

SECTION 2. This act shall be submitted for acceptance to the voters of said town at its next annual town meeting in the form of the following question, which shall be presented to said voters at said meeting:—
 “Shall an act passed by the General Court in the year nineteen hundred and fifty-nine, entitled ‘An Act providing life tenure for the police chief of the town of Lakeville’, be accepted?” If a majority of the votes in answer to said question is in the affirmative, then this act shall thereupon take full effect, but not otherwise.

Approved February 2, 1959.

Chap. 6. AN ACT PROVIDING LIFE TENURE FOR ALBERT E. COLE, INCUMBENT OF THE OFFICE OF COLLECTOR-TREASURER OF THE TOWN OF FRAMINGHAM.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of Albert E. Cole, incumbent of the office of collector-treasurer of the town of Framingham, shall be unlimited. Said incumbent shall not be removed from office, lowered in rank or suspended, except for just cause and for reasons specifically given him in writing by the board of selectmen, in the manner provided by section forty-three of chapter thirty-one of the General Laws.

SECTION 2. This act shall be submitted for acceptance to the voters of said town at the annual town election to be held in the current year, in the form of the following question which shall be placed on the official ballot to be used in said election:—“Shall an act passed by the General Court in the year nineteen hundred and fifty-nine, entitled ‘An Act providing life tenure for Albert E. Cole, incumbent of the office of collector-treasurer of the town of Framingham’, be accepted?” If a majority of the votes in answer to said question is in the affirmative, then this act shall thereupon take full effect, but not otherwise.

Approved February 2, 1959.

Chap. 7. AN ACT PROVIDING LIFE TENURE FOR THE THREE PRESENT FULL-TIME INCUMBENTS OF THE OFFICE OF FIRE ALARM CLERK OF THE TOWN OF UXBRIDGE.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of the three present full-time incumbents of the office of fire alarm clerk of the town of Uxbridge shall, upon the effective date of this act, be unlimited. Said incumbents shall not be removed from office, lowered in rank or suspended except for just cause and for reasons specifically given them in writing by the board of selectmen.

SECTION 2. This act shall be submitted for acceptance to the voters of said town at the annual town election to be held in the current year, in the form of the following question which shall be placed upon the official ballot to be used in said election:—“Shall an act passed by the General Court in the year nineteen hundred and fifty-nine, entitled

‘An Act providing life tenure for the three present full-time incumbents of the office of fire alarm clerk of the town of Uxbridge’, be accepted?’ If a majority of the votes in answer to said question is in the affirmative, then this act shall thereupon take full effect, but not otherwise.

Approved February 2, 1959.

Chap. 8. AN ACT PROVIDING LIFE TENURE FOR HENRY J. McNAMARA, JR., INCUMBENT OF THE OFFICE OF CHIEF OF POLICE IN THE TOWN OF GRAFTON.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of Henry J. McNamara, Jr., incumbent of the office of chief of police of the town of Grafton, shall, upon the effective date of this act, be unlimited, but he may be removed for cause after hearing in the manner provided by section forty-three of chapter thirty-one of the General Laws.

SECTION 2. This act shall be submitted to the voters of said town at the annual town meeting in the current year in the form of the following question, which shall be placed upon the official ballot to be used for the election of town officers at said meeting:—“Shall an act passed by the General Court in the year nineteen hundred and fifty-nine, entitled, ‘An Act providing life tenure for Henry J. McNamara, Jr., incumbent of the office of chief of police in the town of Grafton’, be accepted?” If a majority of the votes in answer to said question is in the affirmative this act shall take full effect, but not otherwise.

Approved February 2, 1959.

Chap. 9. AN ACT RELATIVE TO THE TENURE OF OFFICE OF THE PRESENT CHIEF OF POLICE OF THE TOWN OF WILLIAMSTOWN.

Be it enacted, etc., as follows:

SECTION 1. The incumbent of the office of chief of police in the town of Williamstown on the effective date of this act shall hold office during good behavior unless incapacitated by physical or mental disability from performing the duties of chief of police, and until the appointing authority shall remove him therefrom in accordance with the provisions of chapter thirty-one of the General Laws, and the rules made thereunder, relative to removals from the classified public service.

SECTION 2. This act shall be submitted for acceptance to the voters of said town at the annual town meeting in the current year in the form of the following question, which shall be placed on the official ballot to be used for the election of officers at said meeting:—“Shall an act passed by the General Court in the current year, entitled ‘An Act relative to the tenure of office of the present chief of police of the town of Williamstown’ be accepted?” If a majority of the votes in answer to said question is in the affirmative, then this act shall thereupon take full effect, but not otherwise.

Approved February 2, 1959.

- Chap. 10.** AN ACT TO ASCERTAIN THE WILL OF THE VOTERS OF THE TOWN OF METHUEN WITH REFERENCE TO THE CONSTRUCTION OF A NEW JUNIOR HIGH SCHOOL IN SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of ascertaining the will of the voters of the town of Methuen with reference to the question of constructing a new junior high school building in said town, there shall be placed upon the official ballot to be used at a town meeting in the current year the following question:—"Shall the town of Methuen construct a new junior high school building?" If a majority of the votes in answer to said question is in the affirmative, it shall be deemed and taken to be the will of the voters of said town that a new junior high school building shall be constructed, but if a majority of such votes is in the negative, it shall be deemed and taken that said building shall not be constructed.

SECTION 2. This act shall take effect upon its passage.

Approved February 3, 1959.

- Chap. 11.** AN ACT RELATIVE TO THE ACCEPTANCE BY THE TOWN OF WINTHROP OF THE PROVISIONS OF LAW ESTABLISHING MINIMUM ANNUAL COMPENSATION FOR FIRE FIGHTERS.

Be it enacted, etc., as follows:

Notwithstanding any contrary provision of section fifty-eight A of chapter fifty-four of the General Laws, the following question shall be placed upon the official ballot to be used for the election of officers at the annual town meeting to be held in the town of Winthrop in the current year:—"Shall the town vote to accept the provisions of section one hundred and eight D of chapter forty-one of the General Laws whereby, if accepted, the minimum annual compensation of each permanent fire fighter in the fire department of the town of Winthrop will be not less than five thousand dollars?" If a majority of votes cast in answer to said question is in the affirmative said act shall thereupon take full effect in said town.

Approved February 4, 1959.

- Chap. 12.** AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF BRISTOL COUNTY TO PURCHASE A NEW BEACH WAGON TO REPLACE THE BEACH WAGON PRESENTLY USED FOR THE TRANSPORTATION OF PRISONERS AT THE HOUSE OF CORRECTION.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of the county of Bristol are hereby authorized to purchase a new beach wagon to replace the beach wagon presently used for the transportation of prisoners at the house of correction. For said purpose the commissioners may expend out of any available funds a sum not exceeding three thousand dollars, which sum shall be included in the appropriation for the current year for said county.

SECTION 2. This act shall take effect upon its passage.

Approved February 4, 1959.

Chap. 13. AN ACT TO AUTHORIZE THE MASSACHUSETTS EYE AND EAR INFIRMARY TO HOLD ADDITIONAL REAL AND PERSONAL ESTATE.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith the Massachusetts Eye and Ear Infirmary to hold additional real and personal estate, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

The Massachusetts Eye and Ear Infirmary, a charitable corporation established by chapter ninety-one of the acts of eighteen hundred and twenty-six, may hold real and personal estate in an amount not exceeding fifteen million dollars.

Approved February 5, 1959.

Chap. 14. AN ACT PROVIDING THAT THE FUNCTIONS OF THE CEMETERY COMMISSIONERS AND THE RECREATION COMMITTEE AND THE CARE AND MAINTENANCE OF THE TOWN DUMP AND TOWN GROUNDS BE UNDER THE JURISDICTION OF THE BOARD OF PUBLIC WORKS OF THE TOWN OF NORTH READING.

Be it enacted, etc., as follows:

SECTION 1. Chapter 9 of the acts of 1945 is hereby amended by striking out section 2 and inserting in place thereof the following section: — *Section 2.* Upon the qualifications of the initial members of the board, the board shall have all the powers, rights and duties now or from time to time vested by general or special law in the following boards, departments and officers in said town, to wit: water commissioners, sewer commissioners, highway department, including the superintendent of streets, park department, moth department, board of survey, tree warden, cemetery commissioners and recreation committee, and such boards, departments and offices shall thereupon be abolished during such time as this act is in effect as to them, respectively. The board shall also have the rights, powers and liabilities with respect to the care of dumps, now under the supervision of the board of health and the care and maintenance of the town grounds, now under the supervision of various departments of the town. No contracts or liabilities in force on the date when this act becomes fully effective shall be affected by such abolition, but the board shall in all respects be the lawful successor of the boards, departments and offices so abolished.

SECTION 2. This act shall be submitted to the voters of the town of North Reading for acceptance at the annual town meeting in the current year. At such meeting there shall be placed upon the warrant the following question: — “To see if the town will vote to accept an act passed by the General Court in the year nineteen hundred and fifty-nine, entitled ‘An Act providing that the functions of the cemetery commissioners and the recreation committee and the care and maintenance of the town dump and town grounds be under the jurisdiction of the board of public works of the town of North Reading’ ” If a majority of the votes in answer to said question is in the affirmative, this act shall take full effect, but not otherwise.

Approved February 5, 1959.

Chap. 15. AN ACT INCREASING THE AMOUNT OF PROPERTY THAT MAY BE HELD BY THE AUGUSTINIAN COLLEGE OF THE MERRIMACK VALLEY.

Be it enacted, etc., as follows:

The Augustinian College of the Merrimack Valley, a corporation organized under chapter one hundred and eighty of the General Laws, is hereby authorized to hold real and personal property to an amount not exceeding twenty-five million dollars to be used for the purposes of said corporation as set forth in its charter or certificate of incorporation or in any amendment thereof.

Approved February 5, 1959.

Chap. 16. AN ACT RELATIVE TO THE GRANTING OF VACATIONS FOR MEMBERS OF THE REGULAR POLICE AND FIRE FORCES OF THE TOWN OF WEST SPRINGFIELD.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law to the contrary, there shall be placed upon the official ballot to be used for the election of town officers at the next annual town meeting in the town of West Springfield the following question:—"Shall the town of West Springfield accept the provisions of section 111D of chapter 41 of the General Laws which, if accepted, will provide that vacations without loss of pay may be granted to all members of its regular police or fire force, said vacations to be computed in the following manner: For five years' service, but less than ten years' service, a vacation of three weeks. For ten years' service or more, a vacation of four weeks?" If a majority of the votes in answer to said question is in the affirmative, then said provisions shall take effect in said town, but not otherwise.

Approved February 5, 1959.

Chap. 17. AN ACT PROVIDING FOR WITHHOLDING OF TAXES ON WAGES AND DECLARATION OF ESTIMATED INCOME TAX.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is in part to provide forthwith for the withholding of taxes upon wages on and after February fifteenth in the current year as provided herein, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. The General Laws are hereby amended by inserting after chapter 62A the following chapter:—

CHAPTER 62B.

WITHHOLDING OF TAXES ON WAGES AND
DECLARATION OF ESTIMATED INCOME TAX.

Section 1. The following words as used in this chapter shall, unless

the context otherwise requires, have the following meanings:—

“Commission”, the state tax commission.

“Commissioner”, the commissioner of corporations and taxation.

“Internal Revenue Code”, the Internal Revenue Code of the United States as amended and in effect January first, nineteen hundred and fifty-nine;

“Employer”, employer as defined in section thirty-four hundred and one (d) of the Internal Revenue Code;

“Employee”, employee as defined in section thirty-four hundred and one (c) of the Internal Revenue Code, except full-time students engaged in seasonal or temporary employment whose estimated annual income would not exceed two thousand dollars;

“Wages”, wages as defined in section thirty-four hundred and one (a) of the Internal Revenue Code.

WITHHOLDING OF TAXES ON WAGES.

Section 2. Every employer making payment to employees on or after February fifteenth, nineteen hundred and fifty-nine, of wages subject to tax under chapter sixty-two shall deduct and withhold a tax upon such wages in accordance with tables prepared by the commissioner, with the approval of the commission, which tax so withheld shall be substantially equivalent to the tax imposed by said chapter sixty-two and any taxes in addition thereto. The commissioner may permit the use of accounting machines to calculate the proper amount to be deducted and withheld from such wages; provided, that such calculation produces substantially the tax required by said tables.

If wages are paid with respect to a period which is not a pay-roll period, the amount to be deducted and withheld shall be that applicable in the case of a miscellaneous pay-roll period containing a number of days, including Sundays and holidays, equal to the number of days in the period with respect to which such wages are paid. In any case in which wages are paid by an employer without regard to any pay-roll period or other period, the amount to be deducted and withheld shall be that applicable in the case of a miscellaneous pay-roll period containing a number of days equal to the number of days, including Sundays and holidays, which have elapsed since the date of the last payment of such wages by such employer during the calendar year, or the date of commencement of employment with such employer during such year, or January first of such year, whichever is the later.

In determining the amount to be deducted and withheld under this section, the wages may, at the election of the employer, be computed to the nearest dollar.

The commission may, by regulation, authorize employers to estimate the wages which will be paid to any employee in any quarter of the calendar year, to determine the amount to be deducted and withheld upon each payment of wages to such employee during such quarter as if the appropriate average of the wages so estimated constituted the actual wages paid, and to deduct and withhold upon any payment of wages to such employee during such quarter such amount as may be necessary to adjust the amount actually deducted and withheld upon the wages of such employee during such quarter to the amount that

would be required to be deducted and withheld during such quarter if the pay-roll period of the employee was quarterly.

The commission may provide by regulation, under such conditions and to such extent as it deems proper, for withholding in addition to that otherwise required under this section in cases in which the employer and the employee agree to such additional withholding. Such additional withholding shall for all purposes be considered a tax required to be deducted and withheld under this chapter.

Section 3. If the remuneration paid by an employer to an employee for services performed during one half or more of any pay-roll period of not more than thirty-one consecutive days constitute wages, all the remuneration paid by such employer to such employee for such period shall be deemed to be wages; but if the remuneration paid by an employer to an employee for services performed during more than one half of any such pay-roll period does not constitute wages, then none of the remuneration paid by such employer to such employee for such period shall be deemed to be wages.

Section 4. (a) Every employee, on or before February fourteenth, nineteen hundred and fifty-nine, or before the date of commencement of employment, whichever is later, shall furnish his employer with a signed withholding exemption and deduction certificate setting out the number of dependency deductions which he claims, which shall in no event exceed the number to which he is entitled under clause (h) of section six of chapter sixty-two plus one for his own personal exemption under clause (b) of section five of chapter sixty-two. The term "dependency deductions" as used in this chapter, shall include a deduction for a spouse meeting the requirements of said clause (h). If any employee fails to furnish such signed certificate, the number of his withholding exemptions and deductions shall be considered to be zero.

(b) Withholding exemption and deduction certificates shall take effect as of the beginning of the first pay-roll period ending, or as of the time of the first payment of wages made without regard to pay-roll period, on or after the date on which such certificate is so furnished; provided, that certificates furnished before February fourteenth, nineteen hundred and fifty-nine, shall be considered as furnished on that date. Each such certificate shall continue in effect with respect to the employer to whom it was submitted until another such certificate shall take effect under this paragraph. If a withholding exemption and deduction certificate is furnished to take the place of an existing certificate, the employer may, at his option, continue the old certificate in force with respect to all wages paid on or before the first status determination date which occurs at least thirty days after the date on which such new certificate is furnished. For the purpose of this paragraph, the term "status determination date" means January first and July first of each year.

(c) If, on any day during any calendar year, the number of dependency deductions to which the employee is entitled is less than the number of dependency deductions claimed by the employee on the withholding exemption and deduction certificate then in effect with respect to him, the employee shall, within ten days thereafter, furnish the employer with a new withholding exemption and deduction certificate relating the number of dependency deductions which the em-

ployee then claims, which shall in no event exceed the number to which he is entitled on such day. If, on any day during any calendar year, the number of dependency deductions to which the employee is entitled is greater than the number of dependency deductions claimed, the employee may furnish the employer with a new withholding exemption and deduction certificate relating to the number of dependency deductions which the employee then claims which shall in no event exceed the number to which he is entitled on such day.

(d) If, on any day during any calendar year, the number of dependency deductions to which the employee may reasonably be expected to be entitled at the beginning of the next calendar year is different from the number of dependency deductions to which the employee is entitled on such day, the employee shall in such cases and at such times as the commission may by regulation prescribe, furnish the employer with a withholding exemption and deduction certificate relating to the number of dependency deductions which he claims with respect to such next calendar year, which shall in no event exceed the number to which he may reasonably be expected to be so entitled. Withholding exemption and deduction certificates issued pursuant to this paragraph shall not take effect with respect to any payment of wages made in the calendar year in which the certificate is furnished.

(e) Withholding exemption and deduction certificates shall be in such form and contain such information as the commissioner shall, with the approval of the commission, prescribe.

Section 5. Every employer required to deduct and withhold taxes under section two shall, for the quarterly period beginning January first, nineteen hundred and fifty-nine, and for each quarterly period thereafter, on or before the last day of the month following the close of each such quarterly period, pay over the tax so withheld to the commissioner, and shall file a return with each such payment. Such return shall be in such form as the commissioner shall, with the approval of the commission, prescribe.

The commission shall authorize every employer who has complied with all the requirements of this chapter and all pertinent regulations promulgated by it thereunder to retain from each payment required to be made by him under the foregoing provisions of this section as compensation for services rendered in compliance with this chapter, such amount not less than one half of one per cent nor more than three per cent of such payment as the commission shall by regulation prescribe.

Every employer required to deduct and withhold from an employee a tax under section two or who would have been required under said section to deduct and withhold a tax if the employee had not claimed any personal exemption or dependency deductions shall furnish to each such employee in respect of the wages paid by such employer to such employee during the calendar year, on or before January thirty-first of the succeeding year, or, if his employment is terminated before the close of such calendar year, within thirty days from the day on which the last payment of wages is made, a written statement in duplicate showing the name of the employer, the name of the employee and his social security account number, if any, the total amount of wages subject to taxation under chapter sixty-two, and the total amount deducted and withheld as tax. Said statement may contain such other

information as the commissioner, with the approval of the commission, may prescribe. The commission may by regulation prescribe that one of the copies of such statement may constitute the return required to be made in respect of such wages under section four of chapter sixty-two A.

The commissioner may grant reasonable extensions of time, not exceeding sixty days, for the filing of returns and statements required under this section.

If the commissioner, in any case, has reason to believe that the collection of the tax provided for in section two is in jeopardy, he may require the employer to file a return and pay the tax at any time.

Every employer who fails to withhold or pay to the commissioner any sums required by this chapter to be withheld or paid shall be personally and individually liable therefor to the commonwealth. The term "employer", as used in this paragraph and in section eleven, includes an officer or employee of a corporation, or a member or employee of a partnership, who as such officer, employee or member is under a duty to withhold and pay over taxes in accordance with this section and section two. Any sum or sums withheld in accordance with the provisions of section two shall be deemed to be held in trust for the commonwealth.

If an employer in violation of the provisions of this chapter fails to withhold the tax in accordance with section two, and thereafter the tax against which such tax may be credited, pursuant to section nine, is paid, the tax so required to be withheld shall not be collected from the employer; but this paragraph shall in no case relieve the employer from liability for any penalties or addition to the tax otherwise applicable in respect of such failure to withhold.

Section 6. In the event an employer fails to withhold and pay over to the commissioner any amount required to be withheld under section two, such amount may be assessed against such employer in the same manner as is prescribed for the assessment of income tax under the provisions of sections thirty-five to thirty-seven, inclusive, of chapter sixty-two. The commissioner shall collect the amounts so required to be withheld and paid over and also the penalties prescribed in section eleven of this chapter in the manner provided in section thirty-nine of said chapter sixty-two for the collection of income taxes. He shall have the same remedies for the collection of said amounts and penalties as are provided in section forty-one of said chapter sixty-two for the collection of income taxes, and in addition shall have a lien upon all of the property of any employer who fails to withhold or pay over sums required to be withheld under section two of this chapter. Assessments remaining unpaid after the date upon which the same are required to be paid shall bear interest at the rate of six per cent per annum which shall be added to and become a part of the tax assessed.

Section 7. (a) Whenever any employer fails to deduct and withhold taxes, file returns relating thereto, or pay over such taxes to the commissioner at the time and in the manner prescribed by this chapter or by any regulation issued hereunder, and is notified, by notice delivered in hand to such employer, of any such failure, then all the requirements of paragraph (b) shall be complied with. In the case of

a corporation, partnership or trust, notice delivered in hand to an officer, partner or trustee, shall, for the purposes of this section, be deemed to be notice delivered in hand to such corporation, partnership or trust and to all officers, partners, trustees and employees thereof.

(b) Any employer who is required by this chapter to deduct and withhold taxes, file returns relating thereto and pay over such taxes to the commissioner, if notice has been delivered to such employer in accordance with paragraph (a), shall withhold the taxes required by section two to be withheld after the delivery of such notice, and, not later than the end of the second banking day after any amount of such taxes is withheld, deposit the same in a separate account in a national bank doing business in the commonwealth or in a trust company chartered by the commonwealth, and shall keep the amount of such taxes so withheld in such account until payment over to the commissioner. Any such account shall be designated as a special fund in trust for the commonwealth, payable to the commonwealth by such employer as trustee.

(c) Whenever the commissioner is satisfied, with respect to any notification made under paragraph (a), that all the requirements of this chapter and the regulations thereunder will thereafter be complied with, he may cancel such notification. Such cancellation shall take effect at such time as is specified in the notice of such cancellation.

(d) Any employer who fails to comply with any provisions of paragraph (b) shall, in addition to any other penalties provided by law, be punished by a fine of not less than one hundred nor more than five thousand dollars, or by imprisonment for not more than one year, or both.

(e) This section shall not apply to any employer who shows that there was reasonable doubt as to whether the law required the withholding of tax, or as to who was required by law to withhold the tax, and shall not apply to any employer who shows that his failure to comply with the provisions of paragraph (b) was due to circumstances beyond his control. For the purposes of the preceding sentence, a lack of funds existing immediately after the payment of wages, whether or not created by the payment of such wages, shall not be considered to be circumstances beyond the control of an employer.

Section 8. When an employer believes that he has made an overpayment of the tax required to be paid under section five, he may file an application with the commission on a form approved by it either to have the amount of such overpayment refunded to him, or to have the same credited against the payment which he is required to make for a subsequent quarterly period, but such refund or credit shall be made to the employer only to the extent that the amount of such overpayment was not withheld under section two by the employer. Application for such refund or credit must be filed with the commission within two years from the date on which such overpayment was made. The commission shall notify the applicant by certified mail of its decision upon any such application. Any employer aggrieved by the refusal of the commission to refund in accordance with an application duly filed by him may appeal in the manner provided in section forty-five of chapter sixty-two. Any refund whether made as a result of the decision of the commission or of the appellate tax board shall be repaid

to the employer by the state treasurer with interest thereon at three per cent per annum from the time when it was paid. The commission shall by regulation prescribe the procedure to be followed by an employer electing to have such an overpayment credited.

Section 9. The amount deducted and withheld as tax under section two during any calendar year upon the wages of any employee shall be allowed as a credit to the recipient of the income against the tax imposed thereon. If more than one taxable year begins in such calendar year, such amount shall be allowed as a credit against the tax for the last year so beginning.

Section 10. An employer shall be liable for the payment of the tax required to be withheld under section two, and shall not be liable, except as provided in section five, to any person for the amount of any such payment.

Section 11. (a) If an employer fails to pay over a tax within the time prescribed by this chapter, unless it is shown to the satisfaction of the commissioner that such failure is due to reasonable cause and not due to wilful neglect, there shall be imposed on such employer a penalty of one per cent of the amount of the underpayment if the failure is for not more than one month, with an additional one per cent for each additional month or fraction thereof during which such failure continues, not exceeding six per cent in the aggregate. Such penalty shall be added to and become a part of the tax assessed. For purposes of this paragraph, the term "underpayment" shall mean the excess of the amount of the tax required to be paid over the amount thereof actually paid on or before the date prescribed therefor.

(b) If an employer fails to file a return within the time prescribed by this chapter, including reasonable extensions of time therefor, unless it is shown that such failure is due to reasonable cause and not due to wilful neglect, there shall be imposed on him a penalty equal to five per cent of the amount of the tax which should have been shown on such return if such failure is for not more than one month, with an additional five per cent for each additional month or fraction thereof during which such failure continues, not exceeding twenty-five per cent in the aggregate. Such penalty shall be added to and become a part of the tax assessed. The amount of tax required to be shown on the return shall be reduced by the amount of any part of the tax which is paid on or before the date prescribed for payment of the tax and by the amount of any credit against the tax which may be claimed in the return.

(c) An employer who is required under the provisions of section five to furnish a statement to an employee, and who wilfully fails to furnish the statement required by said section, shall, for each such offence be subject to a penalty of fifty dollars payable to the commissioner as hereinafter provided, and shall be punished by a fine of not more than one thousand dollars, or by imprisonment for not more than one year, or both.

(d) An employee who wilfully furnishes his employer with a false or fraudulent withholding exemption and deduction certificate or who wilfully fails to supply a new certificate to his employer which would increase the tax to be withheld from him shall be subject to a penalty

of fifty dollars payable to the commissioner as hereinafter provided, and shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than one year, or both.

(c) Any penalties imposed by this section shall be collected by the commissioner in the manner provided in section thirty-nine of chapter sixty-two for the collection of income taxes, and he shall have the same remedies for the collection of said penalties as are provided in section forty-one of said chapter sixty-two for the collection of income taxes. Any person who believes that a penalty has been improperly imposed upon him shall have the remedies provided in sections forty-three and forty-five of said chapter sixty-two for the abatement of income taxes.

Section 12. All taxes deducted and withheld by an employer and paid over to the commissioner pursuant to section five shall be deemed and credited as payments on account of the tax imposed on income for the taxable year under chapter sixty-two, or chapter sixty-two A, whichever is applicable, and any taxes in addition thereto.

DECLARATION OF ESTIMATED INCOME TAX.

Section 13. Every taxpayer who in any taxable year commencing after December thirty-first, nineteen hundred and fifty-eight can reasonably expect to receive income in excess of one hundred dollars taxable under chapter sixty-two or sixty-two A from sources other than wages upon which a tax is required to be withheld under section two shall file a declaration of his estimated tax for such year.

In said declaration the taxpayer shall state—

(a) The amount which he estimates as the tax due under chapter sixty-two and any taxes in addition thereto, with respect to the taxable year;

(b) The amount which he estimates as the credits to which he will be entitled under section nine for taxes withheld during the taxable year;

(c) The excess of (a) over (b), which for the purposes of this chapter shall be considered the estimated tax for the taxable year; and

(d) Such other information as the commissioner may, with the approval of the commission, prescribe.

Said declaration shall be filed on or before April fifteenth of the taxable year, except that if the requirements of the first paragraph of this section are first met—

(i) After April first and before June second, the declaration shall be filed on or before June fifteenth; or

(ii) After June first and before September second, the declaration shall be filed on or before September fifteenth; or

(iii) After September first, the declaration shall be filed on or before January fifteenth of the succeeding year.

The commission shall promulgate regulations governing reasonable extensions of time for filing declarations and paying the estimated tax; provided, however, that no such extension shall be for more than six months except in the case of taxpayers who are outside of the United States.

A taxpayer may make amendments to any declaration of estimated tax under regulations prescribed by the commission.

If on or before January thirty-first of the succeeding year, the taxpayer files a return for the year for which the declaration is required and pays in full the amount computed on the return as payable, then, under regulations prescribed by the commission, if the declaration is not required to be filed during the taxable year but is required to be filed on or before January fifteenth, such return shall, for the purposes of this section, be considered as such declaration. If the tax shown on the return, reduced by the credits permitted under section nine, is greater than the estimated tax shown in a declaration previously made or in the last amendment thereof, such return shall, for the purposes of this section, be considered as the amendment of the declaration permitted by this section to be filed on or before January fifteenth.

In the case of a husband and wife, a single declaration of estimated tax may be made by them jointly, in which case the liability with respect to the estimated tax shall be joint and several. No joint declaration may be made unless the husband and wife are married at the time when the declaration is due and not separated by a decree of divorce or separate maintenance. If a joint declaration is made but a joint return is not made for the taxable year, the estimated tax for such year may be treated as the estimated tax of either the husband or the wife, or may be divided between them.

Section 14. The estimated tax declared under section thirteen shall be paid as follows:—

(a) If the declaration is filed on or before April fifteenth of the taxable year, the estimated tax shall be paid in four equal installments. The first installment shall be paid at the time of the filing of the declaration, and thereafter, the second on June fifteenth and the third on September fifteenth of the taxable year, and the fourth on January fifteenth of the succeeding taxable year.

(b) If the declaration is filed after April fifteenth and not after June fifteenth of the taxable year and is not required by section thirteen to be filed on or before April fifteenth of the taxable year, the estimated tax shall be paid in three equal installments. The first installment shall be paid at the time of the filing of the declaration, the second on September fifteenth of the taxable year and the third on January fifteenth of the succeeding taxable year.

(c) If the declaration is filed after June fifteenth and not after September fifteenth of the taxable year and is not required by section thirteen to be filed on or before June fifteenth of the taxable year, the estimated tax shall be paid in two equal installments. The first installment shall be paid at the time of the filing of the declaration and the second on January fifteenth of the succeeding taxable year.

(d) If the declaration is filed after September fifteenth of the taxable year, and is not required by section thirteen to be filed on or before September fifteenth of the taxable year, the estimated tax shall be paid in full at the time of the filing of the declaration.

(e) If the declaration is filed after the time prescribed in section thirteen including extensions of time for such filing, paragraphs (b), (c) and (d) shall not apply, and there shall be paid at the time of such filing all installments of estimated tax which would have been payable on or before such time if the declaration had been filed within the time prescribed in section thirteen and the remaining installments shall be

paid at the times at which, and in the amounts in which, they would have been payable if the declaration had been so filed.

(f) If any amendment of a declaration is filed, the remaining installments, if any, shall be ratably increased or decreased as the case may be, to reflect the respective increase or decrease in the estimated tax by reason of such amendment and if any amendment is made after September fifteenth of the taxable year any increase in the estimated tax by reason thereof shall be paid at the time of making such amendment.

(g) At the election of the taxpayer, any installment of the estimated tax may be paid prior to the date prescribed for its payment.

The application of this section to deceased persons and to other taxpayers having taxable years of less than twelve months shall be in accordance with regulations prescribed by the commission.

Section 15. In the case of a taxpayer whose estimated gross income from farming for the taxable year is at least two thirds of his total gross income from all sources for the taxable year, in lieu of the time prescribed in section thirteen, the declaration for the taxable year may be made at any time on or before January fifteenth of the succeeding year. If such taxpayer makes a declaration of estimated tax after September fifteenth of the taxable year and on or before January fifteenth of the succeeding year, the estimated tax shall be paid in full at the time of the filing of the declaration.

Section 16. In the application of sections thirteen, fourteen and fifteen to taxpayers reporting on a fiscal year basis, there shall be substituted for the months specified therein, the months corresponding thereto in accordance with regulations prescribed by the commission.

Section 17. All payments of estimated tax made by any taxpayer pursuant to section fourteen shall be deemed and credited as payments on account of the tax imposed on income for the taxable year under chapter sixty-two or sixty-two A, as the case may be, and any taxes in addition thereto.

Section 18. (a) In the case of any under-payment of estimated tax, except as provided in paragraph (b), there shall be added to the tax due under chapter sixty-two, and any taxes in addition thereto for the taxable year, an amount determined at the rate of six per cent per annum upon the amount of the under-payment for the period of under-payment. For the purposes of this paragraph, "the amount of the under-payment" shall be the excess of the amount of the installment which would be required to be paid if the estimated tax were equal to seventy per cent, or sixty-six and two thirds per cent in the case of a farmer referred to in section fifteen, of the tax shown on the return for the taxable year, or, if no return was filed, seventy per cent or sixty-six and two thirds per cent, as the case may be, of the tax for such year, over the amount, if any, of the instalment paid on or before the last date prescribed for such payment. For the purposes of this paragraph, "the period of under-payment" is the period from the date the installment was required to be paid to the fifteenth day of the fourth month following the close of the taxable year, or with respect to any portion of the under-payment, to the date on which such portion is paid, whichever is the earlier. A payment of estimated tax on any installment date shall be considered a payment of any previous install-

ment only to the extent that such payment exceeds the amount of the installment for such installment date.

(b) Notwithstanding the provisions of paragraph (a), the addition to the tax with respect to any under-payment of any installment shall not be imposed if the total amount of all payments of estimated tax made on or before the last date prescribed for the payment of such installment equals or exceeds whichever of the following is the lesser—
(1) the amount which would have been required to be paid on or before such date if the estimated tax were whichever of the following is the lesser—

(i) the tax shown on the return of the taxpayer for the preceding taxable year, if a return showing a liability for tax was filed by the taxpayer for the preceding taxable year and such preceding year was a taxable year of twelve months, or

(ii) an amount equal to the tax computed, at the rates applicable to the taxable year, on the basis of the taxpayer's status with respect to his personal exemption under clause (b) of section five and deductions for spouse and dependents under clause (h) of section six of chapter sixty-two for the taxable year, but otherwise on the basis of the facts shown on his return for, and the law applicable to, the preceding taxable year, or

(2) an amount equal to ninety per cent of the tax computed, at the rates applicable to the taxable year, on the basis of the actual taxable income for the months in the taxable year ending before the month in which the installment is required to be paid.

(c) For the purposes of applying this section the estimated tax shall be computed without any reduction for the amount which the individual estimates as his credit under section nine, and the amount of the credit allowed under said section nine for the taxable year shall be deemed a payment of estimated tax, and an equal part of such amount shall be deemed paid on each installment date, determined under section fourteen for such taxable year, unless the taxpayer establishes the dates on which all amounts were actually withheld, in which case the amounts so withheld shall be deemed payments of estimated tax on the dates on which such amounts were actually withheld.

(d) For the purposes of paragraphs (a) and (b), the term "tax" means the tax imposed by chapter sixty-two and any taxes in addition thereto, reduced by the credit against tax allowed by section six A of said chapter.

Section 19. Any addition of tax provided for under section eighteen shall be collected by the commissioner in the manner provided in section thirty-nine of chapter sixty-two for the collection of income taxes, and he shall have the same remedies for the collection of said amounts as are provided in section forty-one of said chapter sixty-two.

Section 20. Any person aggrieved by the action of the commissioner in collecting any addition to tax under section eighteen shall have the remedies provided in sections forty-three and forty-five of chapter sixty-two for the abatement of income taxes.

Section 21. The administration of this chapter is vested in the commissioner. All forms necessary and proper for the enforcement of this chapter shall be prescribed and furnished by the commissioner with the approval of the state tax commission. The state tax commis-

sion may prescribe regulations and rulings, not inconsistent with law, to carry into effect the provisions of this chapter, which regulations and rulings, when reasonably designed to carry out the intent and purposes of this chapter, shall be prima facie evidence of its proper interpretation.

SECTION 2. Chapter 62 of the General Laws is hereby amended by striking out section 43, as most recently amended by chapter 545 of the acts of 1955, and inserting in place thereof the following section:—*Section 43.* Any person who believes that he has been over-assessed on or has over-paid any tax imposed by this chapter may apply in writing to the state tax commission, hereinafter called the commission, on a form prescribed by it, for an abatement of any such over-assessment or over-payment at any time within three years from the last day for filing the return required by this chapter or within one year after the date of such over-assessment or over-payment, whichever occurs later. If after hearing, or otherwise, the commission finds that the tax assessed or paid exceeds the tax due it shall abate such excess. If there has been an over-payment, the state treasurer shall refund the same with interest thereon at the rate of three per cent per annum from the time it was paid, except that to the extent that an over-payment arises from the fact that the total of the credit allowed under section nine of chapter sixty-two B and the aggregate payments on account of the declaration of estimated tax pursuant to said chapter sixty-two B exceeds the tax imposed by this chapter, interest shall be paid from a date six months after the date upon which the return for the taxable year was due to be filed and except that no interest shall be paid in the case of an over-payment arising from the fact that an employee has understated in the withholding exemption and deduction certificate filed by him pursuant to section four (a) of chapter sixty-two B the number of dependency deductions, as therein defined, to which he was entitled or has failed to claim a personal exemption. The commission shall notify the applicant by certified mail of its decision upon the application for abatement.

SECTION 3. Notwithstanding the provisions of section eighteen of chapter fifty-eight of the General Laws, or any other provision of law to the contrary, all payments on account of taxes on incomes under chapter sixty-two of the General Laws collected by the commonwealth during the fiscal year nineteen hundred and fifty-nine pursuant to chapter sixty-two B of the General Laws, inserted by section one of this act, shall be retained by the commonwealth.

Approved February 6, 1959.

Chap. 18. AN ACT TO PROVIDE FOR THE DETERMINING OF TIES IN THE ELECTION OF TOWN MEETING MEMBERS IN THE TOWN OF LEXINGTON.

Be it enacted, etc., as follows:

SECTION 1. Section 2 of chapter 215 of the acts of 1929 is hereby amended by striking out the fourth sentence, inserted by section 1 of chapter 442 of the acts of 1956, and inserting in place thereof the following two sentences:—Such vacancy or vacancies shall be filled, in the

order of votes received at each annual town election, from among those candidates in their respective precincts who fail of election to a term of three years, and in the case of a tie vote affecting the division between those elected for three year or other terms and those elected for shorter terms, the members elected from the precinct shall by ballot determine the same. Meetings of members elected from the precinct shall, for the purpose of determining such ties, be called and held as set forth in section seven.

SECTION 2. This act shall be submitted for acceptance to the voters of said town at the next annual town meeting in the form of the following question which shall be placed upon the official ballot to be used for the election of town officials at said meeting:—"Shall an act passed by the General Court in the year nineteen hundred and fifty-nine entitled 'An Act to provide for the determining of ties in the election of town meeting members in the town of Lexington', be accepted?" If a majority of the votes in answer to said question is in the affirmative, then this act shall thereupon take full effect, but not otherwise.

Approved February 6, 1959.

Chap. 19. AN ACT REVIVING KINGSTON YACHT CLUB.

Be it enacted, etc., as follows:

Kingston Yacht Club, a corporation dissolved on March twenty-sixth, nineteen hundred and forty-seven by decree of the supreme judicial court, is hereby revived with the same powers, duties and obligations as if said decree had not been entered; and all acts and proceedings of the officers, directors and stockholders of said corporation acting as such which would have been legal and valid but for said decree of dissolution are hereby ratified and confirmed.

Approved February 6, 1959.

Chap. 20. AN ACT AUTHORIZING THE FRANKLIN TYPOGRAPHICAL SOCIETY TO HOLD ADDITIONAL PERSONAL ESTATE.

Be it enacted, etc., as follows:

The Franklin Typographical Society, incorporated by chapter eighty-one of the acts of eighteen hundred and twenty-four, is hereby authorized to hold, for the purposes of the society, personal estate to an amount not exceeding five hundred and fifty thousand dollars in value.

Approved February 6, 1959.

Chap. 21. AN ACT PROVIDING FOR LIFE TENURE FOR ELMER C. PEASE, THE CHIEF OF POLICE OF THE TOWN OF PLAINVILLE.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of Elmer C. Pease, incumbent of the office of chief of police in the town of Plainville shall, upon the effective date of this act, be unlimited. Said incumbent shall not be

removed from office, lowered in rank or suspended, except for just cause and after hearing by the board of selectmen in the manner provided by section forty-three of chapter thirty-one of the General Laws.

SECTION 2. This act shall be submitted for acceptance to the registered voters of said town at the annual town meeting to be held in the current year, in the form of the following question, which shall be placed upon the official ballot to be used in said town at said meeting:—"Shall an act passed by the General Court in the current year entitled 'An Act providing for life tenure for Elmer C. Pease, the chief of police of the town of Plainville', be accepted?" If a majority of the votes in answer to said question is in the affirmative, then this act shall thereupon take full effect.

Approved February 10, 1959.

Chap. 22. AN ACT INCLUDING FEDERAL SAVINGS AND LOAN ASSOCIATIONS IN THE DEFINITION OF THE WORD "BANK" IN THE UNIFORM GIFTS TO MINORS ACT.

Be it enacted, etc., as follows:

Section 1 of chapter 201A of the General Laws, as appearing in chapter 724 of the acts of 1957, is hereby amended by striking out clause (a) and inserting in place thereof the following clause:—(a) "Bank", a trust company, national banking association, federal savings and loan association, savings bank, co-operative bank or other bank.

Approved February 10, 1959.

Chap. 23. AN ACT PLACING THE POSITION OF REGULAR OR PERMANENT MEMBER OF THE POLICE DEPARTMENT OF THE TOWN OF MILLBURY UNDER THE CIVIL SERVICE LAWS.

Be it enacted, etc., as follows:

SECTION 1. The position of regular or permanent member of the police department of the town of Millbury shall, upon the effective date of this act, become subject to the civil service laws and rules, and the tenure of office of any incumbent thereof shall be unlimited, subject, however, to said laws. Each incumbent of said position on said effective date shall be subjected by the division of civil service to a qualifying examination, and if he passes said examination he shall be certified for said position and shall be deemed to be permanently appointed thereto without being required to serve any probationary period.

SECTION 2. This act shall be submitted to the voters of said town at the annual town meeting in the current year in the form of the following question, which shall be placed upon the official ballot to be used for the election of town officers at said meeting:—"Shall an act passed by the General Court in the year nineteen hundred and fifty-nine, entitled 'An Act placing the position of regular or permanent member of the police department of the town of Millbury under the civil service

laws' be accepted?' If a majority of the votes in answer to said question is in the affirmative, then this act shall thereupon take full effect, but not otherwise.

Approved February 10, 1959.

Chap. 24. AN ACT INCREASING THE AMOUNT OF PROPERTY THAT MAY BE HELD BY NORTHEASTERN UNIVERSITY.

Be it enacted, etc., as follows:

Chapter 134 of the acts of 1955 is hereby amended by striking out, in line 3, the word "thirty" and inserting in place thereof the word:—fifty,—so as to read as follows:—Northeastern University, a corporation organized under the general law, is hereby authorized to hold real and personal estate to an amount not exceeding fifty million dollars, to be used for the purposes of said corporation as set forth in its charter or certificate of incorporation or in any amendment thereof.

Approved February 10, 1959.

Chap. 25. AN ACT AUTHORIZING THE NEW ENGLAND HOME FOR LITTLE WANDERERS TO HOLD ADDITIONAL PROPERTY AND PROVIDING FOR THE ELECTION OF MANAGERS AND MEMBERS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 205 of the acts of 1889 is hereby amended by striking out section 2 and inserting in place thereof the following section:—*Section 2.* Said corporation may hold real and personal estate to an amount not exceeding seven million five hundred thousand dollars.

SECTION 2. Said chapter 205 is hereby further amended by striking out section 3 and inserting in place thereof the following section:—*Section 3.* The number of managers shall be fixed from time to time as may be provided in the by-laws of said corporation, notwithstanding any special act or provision in the constitution of said corporation.

SECTION 3. Said chapter 205 is hereby further amended by inserting after said section 3 the following section:—*Section 3A.* The members of the corporation shall be elected at each annual meeting for such terms and in such numbers as the constitution and by-laws may from time to time provide.

Approved February 10, 1959.

Chap. 26. AN ACT PROVIDING LIFE TENURE FOR CLEMENT LAMBERT, INCUMBENT OF THE OFFICE OF TAX COLLECTOR OF THE TOWN OF UPTON.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of Clement Lambert, the incumbent of the office of tax collector of the town of Upton, shall be unlimited. Said incumbent shall not be removed from office except for just cause and for reasons specifically given him in writing by the board of

selectmen, in the manner provided by section forty-three of chapter thirty-one of the General Laws.

SECTION 2. This act shall be submitted for acceptance to the voters of said town at the annual town meeting in the current year or in the year nineteen hundred and sixty or nineteen hundred and sixty-one in the form of the following question, which shall be placed upon the official ballot to be used for the election of town officers at said meeting:—"Shall an act passed by the General Court in the year nineteen hundred and fifty-nine entitled 'An Act providing life tenure for Clement Lambert, incumbent of the office of tax collector of the town of Upton', be accepted?" If a majority of votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise.

Approved February 10, 1959.

Chap. 27. AN ACT FURTHER PROTECTING THE RIGHTS OF PERSONS
TAKING OR ENTITLED TO TAKE CIVIL SERVICE EXAMINATIONS.

Be it enacted, etc., as follows:

Section 11 of chapter 31 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 1, the words "in the public service",—so as to read as follows:—*Section 11.* No person shall wilfully and corruptly defeat, deceive or obstruct any person as to his right of examination; or wilfully or corruptly make a false mark, grade, estimate or report on the examination or proper standing of any person examined under this chapter, or wilfully or corruptly make any false representation concerning the same or concerning the person examined; or wilfully or corruptly furnish to any one special or secret information, for the purpose of improving or injuring the prospects or chances of appointment, employment or promotion of any person so examined or to be examined.

Approved February 10, 1959.

Chap. 28. AN ACT TO ASCERTAIN THE WILL OF THE VOTERS OF THE
TOWN OF NATICK RELATIVE TO THE CONTINUANCE OR DIS-
CONTINUANCE OF KINDERGARTENS.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of ascertaining the will of the voters of the town of Natick with reference to the question of continuing or discontinuing kindergartens in said town, there shall be placed upon the official ballot to be used at the annual town election in said town in the current year the following question:—"Shall kindergartens be continued as a part of the public school system in the town of Natick?" If a majority of the votes in answer to said question is in the affirmative, it shall be deemed and taken to be the will of the voters of said town that kindergartens be continued, and if a majority of said votes is in the negative, it shall be deemed and taken to be the will of said voters that kindergartens be discontinued.

SECTION 2. This act shall take effect upon its passage.

Approved February 11, 1959.

Chap. 29. AN ACT DESIGNATING THE METROPOLITAN DISTRICT COMMISSION ICE SKATING ARENA IN REVERE AS THE STAFF SERGEANT PAUL W. CRONIN MEMORIAL ARENA.

Be it enacted, etc., as follows:

SECTION 1. The metropolitan district commission ice skating arena in Revere shall be known and designated as the Staff Sergeant Paul W. Cronin Memorial Arena. A suitable tablet or marker bearing said designation shall be erected and maintained at said arena by the said commission.

SECTION 2. This act shall take effect upon its passage.

Approved February 11, 1959.

Chap. 30. AN ACT REVIVING INSURANCE BROKERS ASSOCIATION OF MASSACHUSETTS.

Be it enacted, etc., as follows:

Insurance Brokers Association of Massachusetts, a corporation dissolved on March twenty-six, nineteen hundred and forty-seven by decree of the supreme judicial court for Suffolk county, is hereby revived, with the same powers, duties and obligations as if said decree had not been entered.

Approved February 11, 1959.

Chap. 31. AN ACT TO PROVIDE FUNDS FOR STATE ACTIVITIES BY CONTINUING CERTAIN TAXES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide funds forthwith for state activities, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. There is hereby imposed upon all domestic manufacturing corporations, foreign manufacturing corporations, domestic business corporations and foreign corporations, as defined in chapter sixty-three of the General Laws, as amended, in addition to the taxes levied under the provisions of sections thirty to fifty-one, inclusive, of said chapter sixty-three and all acts in amendment thereof and in addition thereto, and in addition to the taxes imposed upon such corporations under section nine of chapter seven hundred and twenty-nine of the acts of nineteen hundred and forty-one, an additional excise tax equal to three per cent of the net income of each such corporation determined to be taxable in accordance with the provisions of said chapter sixty-three; provided, that the tax imposed by this section shall not apply to corporations taxable under section thirty-eight B of said chapter sixty-three. All provisions of law relative to the assessment, payment, collection and abatement of the taxes imposed under said chapter sixty-three upon corporations taxable hereunder shall apply to the additional taxes herein imposed. This section shall apply only to taxes levied in or on account of the calendar year nineteen hundred and sixty and the months of January and February, nineteen

hundred and sixty-one. The surtaxes imposed under section nine of chapter seven hundred and twenty-nine of the acts of nineteen hundred and forty-one shall apply to the taxes imposed by this section.

SECTION 2. There is hereby imposed, in addition to the taxes levied under subsection (b) of section five and subsection (c) of section five A of chapter sixty-two of the General Laws, upon income derived from professions, employments, trade or business, and all acts in amendment thereof and in addition thereto, and in addition to any surtaxes, an additional tax equal to one per cent of such income. All provisions of law relative to the assessment, payment, collection and abatement of the taxes imposed under said chapter sixty-two shall apply to the additional taxes herein imposed. This section shall apply only to income received in the calendar years nineteen hundred and fifty-nine and nineteen hundred and sixty and the months of January and February, nineteen hundred and sixty-one. The surtaxes imposed under section nine of chapter seven hundred and twenty-nine of the acts of nineteen hundred and forty-one shall apply to the taxes imposed by this section.

SECTION 3. There is hereby imposed in addition to the taxes levied under subsection (c) of section five of chapter sixty-two of the General Laws, upon the excess of gains over losses received by the taxpayer from purchases or sales of intangible personal property, whether or not said taxpayer is engaged in the business of dealing in such property, and all acts in amendment thereof and in addition thereto, and in addition to any surtaxes, an additional tax equal to three per cent of such income. All provisions of law relative to the assessment, payment, collection and abatement of the taxes imposed under said chapter sixty-two shall apply to the additional taxes herein imposed. This section shall apply only to income received in the calendar years nineteen hundred and fifty-nine and nineteen hundred and sixty and the months of January and February, nineteen hundred and sixty-one. The surtaxes imposed under section nine of chapter seven hundred and twenty-nine of the acts of nineteen hundred and forty-one shall apply to the taxes imposed by this section.

SECTION 4. There is hereby imposed, in addition to the taxes levied under the provisions of chapter sixty-two of the General Laws, and all acts in amendment thereof and in addition thereto, and taxes levied under the provisions of sections thirty to sixty, inclusive, of chapter sixty-three of the General Laws, and all acts in amendment thereof and in addition thereto, an additional tax equal to twenty per cent of the taxes assessed under the provisions of said sections, acts and chapters in or on account of the calendar year nineteen hundred and sixty and the months of January and February, nineteen hundred and sixty-one, and all provisions of law relative to the assessment, payment, collection and abatement of the said taxes shall apply to the taxes imposed by this section. This additional tax shall apply also to taxes levied under sections one, two and three of this act.

SECTION 5. All property subject to a legacy and succession tax under the provisions of chapter sixty-five of the General Laws, and of any further amendments thereof or additions thereto, shall be subject to an additional tax of twenty per cent of all taxes imposed by said provisions with respect to property or interests therein passing or

accruing upon the death of persons who died during the period beginning January first, nineteen hundred and sixty and ending February twenty-eighth, nineteen hundred and sixty-one. All provisions of law relative to the determination, certification, payment, collection and abatement of such legacy and succession taxes shall apply to the additional taxes imposed by this section.

SECTION 6. There is hereby imposed, in addition to the taxes levied under the provisions of chapter sixty-three A of the General Laws, and all acts in amendment thereof and in addition thereto, an additional tax equal to twenty per cent of the taxes assessed under the provisions of said chapter and acts in or on account of the calendar year nineteen hundred and sixty and the months of January and February, nineteen hundred and sixty-one, and all provisions of law relative to the assessment, payment, collection and abatement of the said taxes shall apply to the taxes imposed by this section.

SECTION 7. Notwithstanding the provisions of section two of chapter sixty-three of the General Laws, as most recently amended by section forty-nine of chapter six hundred and fifty-four of the acts of nineteen hundred and fifty-three, every bank taxed thereunder shall pay a tax assessed in the calendar year nineteen hundred and sixty and the months of January and February, nineteen hundred and sixty-one, measured by its net income, as defined in section one of said chapter sixty-three at the rate assessed upon other financial corporations; provided, that such rate shall not be higher than the highest of the rates assessed upon mercantile and business corporations doing business in the commonwealth, and provided, further, that such rates shall not be higher than eight per cent. During the period that the provisions of this section are in effect, trust companies having a savings department shall not be subject to the excise imposed by section eleven of said chapter sixty-three, nor to the requirements of sections eleven to sixteen, inclusive, of said chapter sixty-three.

SECTION 8. Notwithstanding the provisions of section twenty-two of chapter sixty-three of the General Laws, as most recently amended by section one of chapter three hundred and eighty-seven of the acts of nineteen hundred and forty-six and in lieu thereof, every domestic insurance company coming within the scope of the definition of a domestic company in section one of chapter one hundred and seventy-five of the General Laws, except life insurance companies with respect to business taxable under section twenty, and marine, or fire and marine, insurance companies with respect to business taxable under section twenty-nine A, shall pay for the years nineteen hundred and sixty and nineteen hundred and sixty-one, an excise of two per cent upon the gross premiums for all policies written or renewed, all additional premiums charged, and all assessments made by such company on policyholders during the preceding calendar year, exclusive of reinsurance; but such premiums and assessments for policies written or renewed for insurance, exclusive of reinsurance, of property or interest in other states or countries where a tax is actually paid by such company, or its agents, shall not be so taxed.

SECTION 9. If any part, section or subsection of this act or the application thereof shall be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not be construed to affect the

validity or constitutionality of any of the remaining provisions of said sections or the application of such provisions to persons or circumstances other than those as to which it is held invalid. It is hereby declared to be the legislative intent that said sections would have been adopted had such invalid or unconstitutional provisions not been included therein.

SECTION 10. In addition to the excise tax imposed by chapter sixty-four C of the General Laws, and in addition to the additional excise tax imposed by section nine of chapter seven hundred and thirty-one of the acts of nineteen hundred and forty-five, there is hereby imposed a further additional excise tax of one mill for each cigarette sold, used, received as gift or gifts, or through exchange or barter in the commonwealth during the period beginning September first, nineteen hundred and fifty-nine and ending February twenty-eighth, nineteen hundred and sixty-one, the same to be levied and collected as provided in said chapter sixty-four C, and the provisions of said chapter shall apply to said further additional excise to the same extent as to the normal excise levied thereunder. All the provisions of said chapter sixty-four C relative to the collection, verification and administration of the tax thereunder imposed shall, in so far as pertinent, be applicable to the tax imposed by this act. All cigarette taxes paid in pursuance of this act or of any general or special law shall conclusively be presumed to be a direct tax on the retail consumer, precollected for the purpose of convenience and facility only.

SECTION 11. There is hereby imposed an additional excise on the sale of alcoholic beverages and alcohol, other than malt beverages, for the period beginning July first, nineteen hundred and fifty-nine and ending February twenty-eighth, nineteen hundred and sixty-one, as follows:

For each wine gallon, or fractional part thereof, of still wine, other than cider containing more than three per cent but not more than six per cent of alcohol as aforesaid, including vermouth, at the rate of twenty cents per wine gallon.

For each wine gallon, or fractional part thereof, of all other alcoholic beverages containing twenty-four per cent or less of alcohol by volume at sixty degrees Fahrenheit, at the rate of forty-five cents per wine gallon.

For each wine gallon, or fractional part thereof, of all other alcoholic beverages containing more than twenty-four per cent but not more than fifty per cent of alcohol by volume at sixty degrees Fahrenheit, at the rate of twenty-five cents per wine gallon.

For each proof gallon, or fractional part thereof, of all other alcoholic beverages containing more than fifty per cent of alcohol by volume at sixty degrees Fahrenheit, or alcohol, at the rate of twenty-five cents per proof gallon.

Approved February 12, 1959.

Chap. 32. AN ACT CONTINUING THE TEMPORARY TAX IMPOSED BY THE COMMONWEALTH ON AMOUNTS WAGERED AT CERTAIN HORSE AND DOG RACING MEETINGS CONDUCTED UNDER THE PARTI-MUTUEL OR CERTIFICATE SYSTEM OF WAGERING.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make available immediately revenue for the Gen-

eral Fund, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

In addition to any amount required to be withheld under the provisions of section five of chapter one hundred and twenty-eight A of the General Laws by a licensee conducting a horse or dog racing meeting, such licensee shall withhold an amount equal to two per cent of the total amount wagered on each day of such meeting conducted during the years nineteen hundred and fifty-nine and nineteen hundred and sixty, and shall pay the same to the state racing commission on the day following. All receipts paid into the state treasury under this act shall be credited to the General Fund, notwithstanding any provision of section fifteen of said chapter one hundred and twenty-eight A to the contrary.

Approved February 12, 1959.

Chap. 33. AN ACT AUTHORIZING THE TOWN OF SANDWICH TO RESTORE THE HOXIE HOUSE AND GRIST MILL, SO-CALLED, AND TO BORROW MONEY THEREFOR.

Be it enacted, etc., as follows:

SECTION 1. The town of Sandwich is hereby authorized to expend a sum not exceeding one hundred thousand dollars for the restoration of the Hoxie House and the Grist Mill, so-called, owned by said town. Upon restoration said house and mill shall be preserved and maintained by said town as ancient landmarks, possessing historical and antiquarian interest.

SECTION 2. For the purposes of this act, the town of Sandwich may borrow from time to time, within a period of five years from the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, seventy-five thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Sandwich Hoxie House and Grist Mill Restoration Loan, Act of 1959. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than ten years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided for herein, be subject to chapter forty-four of the General Laws, inclusive of the limitation contained in the first paragraph of section seven thereof.

SECTION 3. Notwithstanding any provision of law to the contrary, the selectmen of said town shall deposit with the town treasurer all moneys received from admission fees charged visitors to the Hoxie House and Grist Mill, so-called, from the sale of souvenirs and other articles thereat, and such deposits shall be set up in a separate account to be known as Receipts from Hoxie House and Grist Mill. Said fund shall be held, subject to appropriation by the town meeting, for the purpose of paying debt and interest charges incurred under this act and for maintaining and operating the house and mill.

SECTION 4. This act shall take effect upon its passage.

Approved February 12, 1959.

- Chap. 34.** AN ACT AUTHORIZING THE TOWN OF ORLEANS TO USE THE PROCEEDS FROM THE SALE OF ITS HIGH SCHOOL TO DEFRAY CERTAIN ANNUAL ASSESSMENTS LEVIED AGAINST IT BY THE REGIONAL SCHOOL DISTRICT COMMITTEE.

Be it enacted, etc., as follows:

SECTION 1. The town of Orleans is hereby authorized to use the proceeds from the sale of its high school to the regional school district to meet in part the assessments levied annually against the town of Orleans by the regional school district committee for capital costs.

SECTION 2. This act shall take effect upon its passage.

Approved February 13, 1959.

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- Chap. 35.** AN ACT AUTHORIZING THE TOWN OF NORWOOD TO USE A PORTION OF THE UNEXPENDED BALANCE OF A WATER STANDPIPE LOAN FOR LAYING OF WATER MAINS.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section twenty of chapter forty-four of the General Laws, the town of Norwood is hereby authorized to appropriate, for the purpose of laying water mains of not less than six inches in diameter, the sum of ninety thousand dollars from the balance remaining of a loan issued by said town under the provisions of clause (4) of section eight of chapter forty-four of the General Laws for constructing a standpipe.

SECTION 2. This act shall take effect upon its passage.

Approved February 13, 1959.

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- Chap. 36.** AN ACT AUTHORIZING THE BUILDING AND MAINTENANCE OF A RADIO BROADCASTING SYSTEM IN THE COUNTY OF HAMPDEN TO AID IN FIRE PROTECTION.

Be it enacted, etc., as follows:

SECTION 1. Subject to appropriation, the county commissioners of Hampden county are hereby authorized to expend such sums as may be necessary, not exceeding seven thousand dollars, for the establishment of a radio broadcasting system to aid in the fire protection of said Hampden county. The broadcasting station and the transmittal tower of said system shall be installed and located in such building and in such area in Hampden county as the county commissioners and Fire Chiefs Association of said county may designate.

SECTION 2. Said broadcasting system shall be administered and operated by the fire-fighting personnel of such city or town as may be designated by the county commissioners. The cost of their services shall be borne by the city or town so designated.

SECTION 3. Said county commissioners are hereby authorized to expend such other sums as may be necessary, subject to appropriation, for the maintenance and operation of the aforesaid radio broadcasting system other than personnel, and said expense shall be assessed and collected against the cities and towns of said county in the manner provided by law for the assessment and collection of the county tax.

SECTION 4. Notwithstanding the provisions of section one of this act, no appropriation of funds by the county of Hampden for the purpose of this act shall be made unless prior approval of the said project is first obtained from the office of defense and civilian mobilization.

SECTION 5. This act shall take effect upon its passage.

Approved February 13, 1959.

Chap. 37. AN ACT AUTHORIZING THE TOWN OF BOURNE TO APPROPRIATE MONEY IN CONNECTION WITH THE CELEBRATION OF THE SEVENTY-FIFTH ANNIVERSARY OF SAID TOWN'S INCORPORATION.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of clause (27) of section five of chapter forty of the General Laws, the town of Bourne is hereby authorized to appropriate a sum of money, not to exceed two thousand five hundred dollars, to be expended for entertainment and other events in connection with the proposed celebration of the seventy-fifth anniversary of the incorporation of the town of Bourne. The money so appropriated shall be disbursed under the direction of the board of selectmen.

SECTION 2. Any action taken by a town meeting in the current year pursuant to authority contained in section one of this act shall be valid and effective as though this act were in effect at the time of the posting of the warrant of said meeting.

SECTION 3. This act shall take effect upon its passage.

Approved February 13, 1959.

Chap. 38. AN ACT AUTHORIZING THE TOWN OF PELHAM TO APPROPRIATE THE BALANCE REMAINING IN THE WORKMEN'S COMPENSATION INSURANCE FUND TO CREATE A STABILIZATION FUND.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section thirteen A of chapter forty of the General Laws, the town of Pelham is hereby authorized to appropriate the balance remaining in the workmen's compensation insurance fund for the purpose of creating a stabilization fund, in accordance with the provisions of section five B of said chapter forty.

SECTION 2. This act shall take effect upon its passage.

Approved February 13, 1959.

Chap. 39. AN ACT AUTHORIZING THE TOWN OF MARSHFIELD TO ASSESS BETTERMENTS FOR PUBLIC IMPROVEMENTS ON CERTAIN PUBLIC WAYS IN SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of sections one and two of chapter eighty of the General Laws, assessments for betterments

may be validly made by the town of Marshfield for the construction of public improvements on Mayflower lane, Carr road, Woodlawn circle, June street, Fifth road, Bradley street, Grasshopper lane and Longview terrace, public ways in said town of Marshfield, as voted at the annual town meeting of nineteen hundred and fifty-eight, which construction was or will be completed during the calendar years nineteen hundred and fifty-eight and nineteen hundred and fifty-nine.

SECTION 2. This act shall take effect upon its passage.

Approved February 13, 1959.

Chap. 40. AN ACT AUTHORIZING THE PLACING UNDER CIVIL SERVICE OF THE OFFICES AND POSITIONS OF EMPLOYEES OF THE OFFICES OF THE TREASURER AND COLLECTOR OF TAXES OF THE CITY OF LAWRENCE.

Be it enacted, etc., as follows:

SECTION 1. The offices and positions of all employees in the offices of the treasurer and the collector of taxes of the city of Lawrence shall, upon the effective date of this act, become subject to the civil service laws, and the rules and regulations made thereunder. The incumbent of every such office and position on said effective date shall be subjected to a qualifying examination for such office or position by the division of civil service. If such an incumbent passes said examination, he shall be certified for said office or position and shall be deemed to be permanently appointed thereto without serving any probationary period, and his tenure of office shall be unlimited, subject, however, to the provisions of said civil service laws. If such an incumbent does not pass such qualifying examination, he may continue to serve in said office or position, but shall not be subject to the provisions of said civil service laws.

SECTION 2. This act shall take full effect upon its acceptance by vote of the city council of the city of Lawrence, subject to the provisions of its charter, but not otherwise.

Approved February 13, 1959.

Chap. 41. AN ACT RELATIVE TO THE HUNTING OF RACCOONS OR OPOSUMS.

Be it enacted, etc., as follows:

Section 53A of chapter 131 of the General Laws, as amended by chapter 234 of the acts of 1950, is hereby further amended by striking out, in lines 22 to 24, inclusive, the words “; provided, that no firearm other than a revolver or pistol not larger than thirty-eight calibre is used or possessed” and inserting in place thereof the words:—, provided that no firearm other than a rifle designed to discharge a twenty-two calibre rim-fire cartridge or a revolver or pistol not larger than thirty-eight calibre is used or possessed.

Approved February 13, 1959.

Chap. 42. AN ACT AUTHORIZING THE TOWN OF BELMONT TO CONVEY A CERTAIN PARCEL OF LAND IN SAID TOWN OR GRANT A LEASE OR LICENSE FOR THE USE THEREOF TO WAVERLEY POST #1272, VETERANS OF FOREIGN WARS OF THE UNITED STATES.

Be it enacted, etc., as follows:

SECTION 1. The town of Belmont is hereby authorized to convey a certain parcel of land or grant a lease or license for the use thereof to Waverley Post #1272, Veterans of Foreign Wars of the United States, for use as a recreational area and headquarters for said post, but for no other purpose, for such period of time and upon such terms as the board of selectmen shall determine, being a certain parcel of land now forming a part of the Pequossette Playground in the town of Belmont, said parcel being bounded and described as follows: Northeasterly by the Southwesterly line of Trapelo Road, seventy-seven and 77/100 (77.77) feet; Southeasterly by land of the Town of Belmont and being the line of an easement, as shown on a plan hereinafter mentioned, one hundred thirteen and 92/100 (113.92) feet; Southwesterly by the remaining land of the Town of Belmont, shown on said plan as "Pequossette Playground" one hundred and forty-three and 46/100 (143.46) feet; Northwesterly by said land of the Town of Belmont, as shown on said plan, one hundred and fifteen and 76/100 (115.76) feet; containing 12.168 square feet of land and being the parcel marked "A" on a plan entitled "Plan Showing Subdivision of Land, Pequossette Playground, Belmont, Mass." dated December 8, 1958, by Joseph W. Kales, Town Engineer, a copy of which plan is on file in the Town Clerk's Office in the Town of Belmont.

SECTION 2. This act shall take effect upon its acceptance by a majority vote of the town meeting members voting thereon at the annual town meeting of said town in the current year.

Approved February 13, 1959.

Chap. 43. AN ACT RELATIVE TO THE FORM OF QUESTION TO BE USED BY CITIES AND TOWNS IN PLACING PROVISIONS OF THE GENERAL LAWS ON THE BALLOT FOR ACCEPTANCE BY THE VOTERS.

Be it enacted, etc., as follows:

Section 58A of chapter 54 of the General Laws, added by chapter 180 of the acts of 1956, is hereby amended by adding at the end the following paragraph:—

The provisions of this section relative to the form of submitting for acceptance to the voters of a city or town of any provision of the General Laws shall not apply to the submission for acceptance of any provision of the General Laws in which or in the act creating such provision there is set forth the form in which the question of the acceptance shall be submitted to the voters.

Approved February 13, 1959.

Chap. 44. AN ACT ESTABLISHING A PARK AND RECREATION DEPARTMENT IN THE TOWN OF READING.

Be it enacted, etc., as follows:

SECTION 1. There is hereby established in the town of Reading a park and recreation department to be under the jurisdiction of a commission consisting of five members, hereinafter to be known as commissioners.

SECTION 2. Said commissioners shall be elected at the annual town election in the year nineteen hundred and sixty at which time three commissioners shall be elected for terms of two years and two shall be elected for terms of one year. Thereafter at each annual town election their successors shall be elected for terms of three years. All commissioners shall hold office until their respective successors are elected and qualified.

SECTION 3. Said park and recreation department shall have jurisdiction and maintenance of all park and recreation areas within the town and over the recreation program of the town, excepting those areas and programs under the jurisdiction of the school department.

SECTION 4. Notwithstanding the provisions of chapter one hundred and eighteen of the acts of nineteen hundred and twenty-one and any other general or special law, said department shall have all the rights, powers and liabilities vested in a board of park commissioners under chapter forty-five of the General Laws.

SECTION 5. This act shall take effect upon its acceptance by the town of Reading at its annual town meeting in the current year or at a special town meeting called for the purpose in the current year.

Approved February 13, 1959.

Chap. 45. AN ACT AUTHORIZING THE COMMISSIONER OF LABOR AND INDUSTRIES TO SUSPEND THE OPERATION OF CERTAIN LABOR LAWS.

Be it enacted, etc., as follows:

The commissioner of labor and industries is hereby authorized, in conformity with Article XX of Part the First of the Constitution of the Commonwealth, to suspend until July first, nineteen hundred and sixty, the application or operation of any provision of chapter one hundred and forty-nine of the General Laws or of any rule or regulation made thereunder, regulating, limiting or prohibiting the employment of women, or of minors over the age of sixteen, or both. The commissioner shall exercise this authority when he finds, after opportunity has been given to interested parties to be heard, that an emergency exists or that conditions of hardship in an industry, branch of an industry, or individual establishment require or justify the suspension of any provision of such laws, rules or regulations. Suspension issued by the commissioner shall prescribe, and may be either granted or limited to, one or more particular departments, operations or occupations within an establishment, or a particular industry or branch of an industry. The commissioner shall appoint

industry advisory committees, on which employers and employees shall be equally represented, to consult and advise with him in matters relating to the suspensions authorized by this act.

Approved February 13, 1959.

Chap. 46. AN ACT AUTHORIZING THE BIENNIAL APPOINTMENT OF TWO TRUSTEES OF THE MUSEUM OF FINE ARTS BY THE LADIES COMMITTEE THEREOF.

Be it enacted, etc., as follows:

Section 1 of chapter 4 of the acts of 1870 is hereby amended by striking out, in line 8, the word "and",—and by inserting after the word "Technology", in line 10, the words:—, and two persons to be biennially appointed by the Ladies Committee of the Museum of Fine Arts.

Approved February 13, 1959.

Chap. 47. AN ACT RELATIVE TO THE APPORTIONMENT OF ASSESSMENTS FOR BETTERMENTS IN THE TOWN OF SOUTHBRIDGE.

Be it enacted, etc., as follows:

Notwithstanding the provisions of section nine of chapter two hundred and twenty-eight of the acts of eighteen hundred and ninety-nine or of any other law to the contrary, assessments for betterments in the town of Southbridge shall be apportioned and levied in conformity with the provisions of section thirteen of chapter eighty of the General Laws.

Approved February 13, 1959.

Chap. 48. AN ACT PROVIDING FOR THE PRINTING OR TYPING OF THE NAMES OF PHYSICIANS AND REGISTERED HOSPITAL MEDICAL OFFICERS FURNISHING BIRTH AND DEATH CERTIFICATES.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 3 of chapter 46 of the General Laws is hereby amended by inserting after the third sentence, as appearing in the Terecentenary Edition, the following sentence:—Said physician or officer shall print or type his name directly below his signature on every report, and also on every notice, mailed or delivered by him to a clerk or registrar under this section.

SECTION 2. Section 9 of said chapter 46 is hereby amended by striking out the second sentence, inserted by chapter 137 of the acts of 1954, and inserting in place thereof the following sentence:—Said physician or officer shall print or type on every certificate furnished by him under this section the cause, or causes, of death and, directly below his signature, his name.

SECTION 3. This act shall take effect on October first in the current year.

Approved February 13, 1959.

Chap. 49. AN ACT RELATIVE TO THE COMPOSITION OF REPRESENTATIVE TOWN MEETINGS IN THE TOWN OF AMHERST.

Be it enacted, etc., as follows:

SECTION 1. Section 2 of chapter 10 of the acts of 1936, is hereby amended by striking out the first sentence, as amended by section 1 of chapter 65 of the acts of 1951, and inserting in place thereof the following sentence:—Other than the officers designated in section three and in the by-laws of the town as town meeting members at large, the representative town meeting membership shall in each precinct consist of the largest number divisible by three which will admit of a representation thereof in the approximate proportion which the number of registered voters therein bears to the total number of registered voters in the town in accordance with the list of registered voters on the first day of January next preceding the election, and which will cause the total elected membership to be as nearly two hundred and forty as may be.

SECTION 2. Section 3 of said chapter 10 is hereby amended by striking out the first sentence, as amended by section 2 of said chapter 65 and inserting in place thereof the following sentence:—Any representative town meeting held under the provisions of this act, except as otherwise provided herein, shall be limited to the town meeting members elected under section two, together with the following town meeting members at large, namely: any member of the general court who is a registered voter of the town, the moderator, the town clerk, the selectmen, the members of the school committee, the chairman of the finance committee, and such other town meeting members at large as may be provided for in the by-laws of the town, and authority is hereby conferred to adopt such by-laws without being subject to section thirty-two of chapter forty of the General Laws.

SECTION 3. This act shall be submitted for acceptance to the registered voters in the town of Amherst at the annual town meeting in the year nineteen hundred and sixty in the form of the following question, which shall be placed upon the official ballot to be used for the election of town officers at said meeting:—"Shall an act passed by the General Court in the year nineteen hundred and fifty-nine, entitled 'An Act relative to the composition of representative town meetings in the town of Amherst', be accepted?" If it is not accepted at said annual town meeting, it shall be again submitted for acceptance at the annual town meeting in the year nineteen hundred and sixty-one in the same manner. If it is not accepted at said annual town meeting in nineteen hundred and sixty-one it may again be submitted in like manner from time to time to such voters at any annual town meeting, but not later than the year nineteen hundred and sixty-four, upon petition signed by not less than two per cent of the total number of registered voters of said town and filed with the town clerk at least thirty days prior to such meeting.

SECTION 4. Upon the acceptance of this act by a majority of the voters voting thereon at any such town meeting aforesaid, it shall take effect for the purposes of the next annual town election in the town of Amherst, at which election one third of the representative town meeting membership to which each precinct shall be entitled hereunder

shall be elected, the unexpired terms of office of all previously elected town meeting members shall continue until their expiration; and for the purpose of determining town meeting members at large and for all other purposes this act shall take effect upon the date of such election.

Approved February 13, 1959.

Chap. 50. AN ACT RELATIVE TO THE ALLOCATION OF INSURANCE PROCEEDS RECEIVED BY THE TOWN OF WINTHROP.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section fifty-three of chapter forty-four of the General Laws or any other contrary provision of law, the proceeds from insurance against loss or damage by fire or other hazard shall, upon receipt by the treasurer of the town of Winthrop, be allocated to that department of said town which had control over the property lost or damaged in an amount equal, as nearly as may be, to the amount of the actual payment made or obligation incurred by such department on account of such loss or damage within the fiscal year during which such loss or damage occurred, but in no event more than two thousand dollars.

SECTION 2. This act shall take effect upon its acceptance by a majority of the voters of the town of Winthrop present and voting thereon at an annual town meeting or at a special town meeting called for the purpose.

Approved February 13, 1959.

Chap. 51. AN ACT TO PROVIDE FOR THE CONTRACTING AND PAYMENT FOR GROUP LIFE INSURANCE BY COUNTIES PRIOR TO THE PASSAGE OF THE COUNTY BUDGET.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to expedite and facilitate negotiations by counties in acquiring contributory group life, accident, hospitalization, medical and surgical insurance for persons in their employ and their dependents without delay, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Section 34 of chapter 35 of the General Laws, as most recently amended by section 3 of chapter 591 of the acts of 1948, is hereby further amended by adding at the end the following paragraph:—

Notwithstanding the foregoing limitations upon the authority of the county commissioners and other officers to incur liabilities during said interval, such county commissioners and other officers may incur liabilities and make payments therefor from any available funds in the treasury to such extent as may be necessary for the purpose of contracting and paying for group insurance in accordance with the provisions of chapter thirty-two B.

Approved February 20, 1959.

- Chap. 52.** AN ACT PROVIDING FOR THE PAYMENT OF ONE HALF OF THE DEATH BENEFIT TO MEMBERS OF THE LEOMINSTER FIRE-FIGHTERS RELIEF ASSOCIATION UPON RETIREMENT FROM THE FIRE DEPARTMENT OF THE CITY OF LEOMINSTER.

Be it enacted, etc., as follows:

SECTION 1. Any member of the Leominster Firefighters Relief Association, a corporation duly organized under the laws of the commonwealth, who ceases to be a permanent member of the Leominster fire department by reason of being retired shall remain a member of said association but after such retirement he shall be paid, within thirty days after his request therefor, from the funds of said association a sum of money equal to one half of the death benefit provided by its by-laws, and his death benefit under said by-laws shall thereupon be reduced by one half.

SECTION 2. This act shall take effect upon its passage.

Approved February 20, 1959.

- Chap. 53.** AN ACT INCREASING THE AMOUNT OF MONEY WHICH THE TOWN OF SOUTH HADLEY MAY BORROW TO CONSTRUCT A SEWAGE TREATMENT WORKS, AN INFLUENT SEWER, AN OUT-FALL SEWER, AND COMMON DRAINS AND SEWERS WITHIN SAID TOWN AND WITHIN THE CITY OF CHICOPEE.

Be it enacted, etc., as follows:

SECTION 1. Section 4 of chapter 584 of the acts of 1951 is hereby amended by striking out, in lines 5 and 6, the words "eight hundred and fifty" and inserting in place thereof the words:—one million two hundred.

SECTION 2. This act shall take effect upon its passage.

Approved February 20, 1959.

- Chap. 54.** AN ACT TO VALIDATE ACTION OF THE SPECIAL TOWN MEETING HELD IN THE TOWN OF AGAWAM ON AUGUST EIGHTEENTH, NINETEEN HUNDRED AND FIFTY-EIGHT.

Be it enacted, etc., as follows:

SECTION 1. All action of the special town meeting held in the town of Agawam on August eighteenth, nineteen hundred and fifty-eight, is hereby validated.

SECTION 2. This act shall take effect upon its passage.

Approved February 20, 1959.

- Chap. 55.** AN ACT PROVIDING THAT THE VOTERS OF THE TOWN OF READING SHALL DETERMINE WHETHER OR NOT THE WATER SUPPLY OF SAID TOWN SHALL CONTINUE TO BE FLUORIDATED.

Be it enacted, etc., as follows:

The following question shall be placed upon the official ballot to be used for the election of officers at the annual town meeting in the cur-

rent year in the town of Reading:—"Shall the fluoridation of the water supply of the town of Reading be continued?" If a majority of the votes in answer to said question is in the affirmative, the fluoridation of the water supply of said town shall be continued, otherwise it shall be discontinued.

Approved February 20, 1959.

Chap. 56. AN ACT PROVIDING THAT THE VOTERS OF THE TOWN OF WILMINGTON SHALL DETERMINE WHETHER OR NOT THE WATER SUPPLY OF SAID TOWN SHALL CONTINUE TO BE FLUORIDATED.

Be it enacted, etc., as follows:

The following question shall be placed upon the official ballot to be used for the election of officers at the annual town meeting in the current year in the town of Wilmington:—"Shall the fluoridation of the water supply of the town of Wilmington be continued?" If a majority of the votes in answer to said question is in the affirmative, the fluoridation of the water supply of said town shall be continued, otherwise it shall be discontinued.

Approved February 20, 1959.

Chap. 57. AN ACT INCREASING THE AMOUNT WHICH TOWNS MAY APPROPRIATE FOR THE OBSERVANCE OF UNITED NATIONS DAY AND CERTAIN OTHER DAYS.

Be it enacted, etc., as follows:

Clause (46A) of section 5 of chapter 40 of the General Laws, as amended by section 1 of chapter 118 of the acts of 1958, is hereby further amended by striking out, in line 4, the words "five hundred" and inserting in place thereof the words:—one thousand,—so as to read as follows:—

(46A) For the proper observance of United Nations Day, or any other day that the governor may by proclamation from time to time designate as a day of municipal observance, to an amount not exceeding one thousand dollars annually.

Approved February 20, 1959.

Chap. 58. AN ACT RELATIVE TO THE QUALIFICATION FOR APPOINTMENT AS A CADET ENGINEER IN A MUNICIPAL GAS OR LIGHT PLANT.

Be it enacted, etc., as follows:

Section 69D of chapter 164 of the General Laws, as renumbered by section 5 of chapter 564 of the acts of 1958, is hereby amended by striking out the fourth paragraph, and inserting in place thereof the following paragraph:—

An applicant for appointment as a cadet engineer must be a resident of the contracting city or town, a graduate of a duly accredited high school, shall be not less than seventeen nor more than twenty-five years of age, and must have been accepted for admission to or be enrolled in a duly accredited college or university within the commonwealth having a course of study leading to a degree of bachelor of science in engineering.

Approved February 20, 1959.

Chap. 59. AN ACT MAKING CERTAIN LAWS RELATIVE TO CERTAIN VETERANS' ORGANIZATIONS APPLICABLE TO THE VETERANS OF WORLD WAR I OF THE U.S.A.

Be it enacted, etc., as follows:

SECTION 1. Section 8E of chapter 12 of the General Laws, as amended by chapter 203 of the acts of 1955, is hereby further amended by inserting after the word "Heart", in line 7, the words:—, the Veterans of World War I of the U.S.A.

SECTION 2. Clause (12) of section 5 of chapter 40 of the General Laws, as most recently amended by section 2 of chapter 118 of the acts of 1958, is hereby further amended by inserting after the word "Association", in line 24, the words:—, local barracks of the Veterans of World War I of the U.S.A.

SECTION 3. Section 9 of said chapter 40 is hereby amended by striking out the first sentence, as most recently amended by chapter 469 of the acts of 1953, and inserting in place thereof the following sentence:—A city or town may, for the purpose of providing suitable headquarters for such post or posts of any veterans' organization incorporated or chartered by the congress of the United States, as have been in operation for at least three years, or for the purpose of providing suitable headquarters for a camp of the United Spanish War Veterans, or for a post of the Polish-American Veterans, Inc., of the Lithuanian War Veterans Organization, Inc., of the American Veterans of World War II, AMVETS, of the Italian-American World War Veterans of the United States, Inc., of the Armenian American Veterans Association, Inc., or for a barracks of the Veterans of World War I of the U.S.A., lease for a period not exceeding five years buildings or parts of buildings which shall be under the direction and control of such post, camp or barracks subject to regulations made in cities by the mayor with the approval of the council and in towns by vote of the town, and for said purposes a town with a valuation of less than five million dollars may annually appropriate not more than two thousand dollars; a town with a valuation of five million dollars but not more than twenty-five million dollars may annually appropriate not more than three thousand dollars; a town with a valuation of more than twenty-five million dollars but not more than fifty million dollars may annually appropriate not more than four thousand dollars; a town with a valuation of more than fifty million dollars but not more than seventy-five million dollars may annually appropriate not more than five thousand dollars; a town with a valuation of more than seventy-five million dollars but not more than one hundred million dollars may annually appropriate not more than six thousand dollars; a town with a valuation of more than one hundred million dollars but not more than one hundred and twenty-five million dollars may annually appropriate not more than seven thousand dollars; a town with a valuation of more than one hundred and twenty-five million dollars but not more than one hundred and fifty million dollars may annually appropriate not more than eight thousand dollars; and a town with a valuation of more than one hundred and fifty million dollars may annually appropriate eight thousand dollars, and in addition three thousand dollars for each additional one hundred and fifty million dollars of valuation, or major fraction thereof.

SECTION 4. Section 5 of chapter 264 of the General Laws, as most recently amended by section 1 of chapter 117 of the acts of 1941, is hereby further amended by striking out the third sentence and inserting in place thereof the following sentence:—Notwithstanding the foregoing, there may be attached to the staff bearing a flag of the United States or of Massachusetts belonging to an organization of veterans of the Civil War, to a camp of the United Spanish War Veterans, to a post or department of The American Legion, or to a post or department of the Veterans of Foreign Wars of the United States, or to a post or department of the Jewish War Veterans of the United States, or to a camp or department of the Sons of Union Veterans of the Civil War, or to a barracks or department of the Veterans of World War I of the U.S.A., or belonging to or used in the service of the United States or the commonwealth, a streamer having inscribed thereon the names of battles and the name and number of the organization to which such flag belongs.

SECTION 5. Section 70 of chapter 266 of the General Laws, as most recently amended by chapter 117 of the acts of 1957, is hereby further amended by inserting after the word "League", in line 24, the words:—or the Veterans of World War I of the U.S.A.

Approved February 20, 1959.

Chap. 60. AN ACT PROVIDING THAT CALL MEMBERS OF THE FIRE DEPARTMENT IN THE TOWN OF COHASSET APPOINTED HERE-AFTER SHALL NOT BE SUBJECT TO THE CIVIL SERVICE LAWS AND RULES.

Be it enacted, etc., as follows:

SECTION 1. The civil service laws and rules shall not apply to call members of the fire department in the town of Cohasset appointed after the effective date of this act.

SECTION 2. This act shall take effect upon its acceptance by a majority of the voters of said town at an annual town meeting or any special town meeting called for the purpose.

SECTION 3. Any action taken at the annual town meeting of said town in the current year shall be valid and effective as though this act had been in full force and effect at the time when the warrant for said meeting was posted.

Approved February 20, 1959.

Chap. 61. AN ACT RELATIVE TO A QUORUM OF THE BOARD OF TRUSTEES OF A SAVINGS BANK.

Be it enacted, etc., as follows:

The first paragraph of section 11 of chapter 168 of the General Laws, as appearing in section 1 of chapter 432 of the acts of 1955, is hereby amended by striking out the fourth sentence and inserting in place thereof the following sentence:—A quorum shall consist of not less than a majority of the trustees, and if there be less than a quorum then a majority of those present may adjourn the meeting until the next regular meeting or until another time or times prior thereto.

Approved February 20, 1959.

Chap. 62. AN ACT INCREASING THE AMOUNT OF MONEY THE TOWN OF PLYMOUTH MAY APPROPRIATE FOR MUNICIPAL ADVERTISING PURPOSES AND FOR PUBLIC AMUSEMENTS.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 76 of the acts of 1950, as most recently amended by section 1 of chapter 36 of the acts of 1954, is hereby further amended by striking out, in line 3, the word "ten" and inserting in place thereof the word:—fifteen,—so as to read as follows:—*Section 1.* The town of Plymouth may, by a majority vote, appropriate each year a sum not exceeding fifteen thousand dollars for advertising the advantages of the town and for providing amusements or entertainments of a public character. The money so appropriated by the town shall be expended under the direction of the selectmen.

SECTION 2. This act shall take effect upon its acceptance by a majority vote of the town meeting members at a regular or special town meeting called for the purpose.

Approved February 20, 1959.

Chap. 63. AN ACT REQUIRING CERTAIN BUSINESS CERTIFICATES TO BE SIGNED UNDER OATH BY THE PERSONS WHOSE NAMES APPEAR THEREIN.

Be it enacted, etc., as follows:

Chapter 110 of the General Laws is hereby amended by striking out section 5, as most recently amended by section 1 of chapter 32 of the acts of 1952, and inserting in place thereof the following section:—*Section 5.* Any person conducting business in the commonwealth under any title other than the real name of the person conducting the business, whether individually or as a partnership, shall file in the office of the clerk of every city or town where an office of any such person or partnership may be situated a certificate stating the full name and residence of each person conducting such business, the place, including street and number, where, and the title under which, it is conducted, and pay the fee as provided by clause (20) of section thirty-four of chapter two hundred and sixty-two. Such certificate shall be executed under oath by each person whose name appears therein as conducting such business and shall be signed by each such person in the presence of the city or town clerk or a person designated by him or in the presence of a person authorized to take oaths. A person who has filed such a certificate shall, upon his discontinuing, retiring or withdrawing from such business or partnership, or in the case of a change of residence of such person or of the location where the business is conducted, file in the office of said clerk a statement under oath that he has discontinued, retired or withdrawn from such business or partnership, or of such change of his residence or change of the location of such business, and pay the fee required by clause (21) of said section thirty-four. In the case of the death of such a person, such statement may be filed by the executor or administrator of his estate. The clerk shall keep a suitable index of all certificates so filed with him, setting forth the pertinent facts, including a reference to any statement of discontinuance, retirement or withdrawal from, or

change of location of, such business, or change of residence of such person. Violations of this section shall be punished by a fine of not more than one hundred dollars for each month during which such violation continues.

Approved February 20, 1959.

Chap. 64. AN ACT TO PERMIT THE HOLDING OF A TOWN MEETING IN ONE OR MORE PLACES CONNECTED BY A PUBLIC ADDRESS SYSTEM AND LOUD SPEAKERS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is in part to make its provisions applicable to town meetings in the current year, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 10 of chapter 39 of the General Laws is hereby amended by striking out the fourth sentence, inserted by section 1 of chapter 152 of the acts of 1949, and inserting in place thereof the following two sentences:—The town meeting may be held in one or more places; provided, that if it is held in more than one place, the places are connected by means of a public address system and loud speakers so that the proceedings in all such places may be heard and participated in by all the voters present therein. Whenever the moderator determines that voters are being excluded from the town meeting because there is no room for them in the places provided or that voters in attendance are being deprived of the opportunity to participate therein for any reason whatsoever, he shall either, on his own motion recess the meeting for any period during the day of the meeting or, after consultation with the members of the board of selectmen then present, adjourn the same to another date, not later than fourteen days following the date of said meeting, when places and facilities sufficient to accommodate all voters attending and to enable them to participate therein shall be available.

SECTION 2. The last paragraph of section 14 of said chapter 39, added by section 2 of said chapter 152, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:—If, as provided for in section ten, a town meeting is held in separate places equipped with a public address system and loud speaker facilities, the moderator may appoint an assistant moderator to preside at each place of meeting whereat the moderator is not present.

Approved February 24, 1959.

Chap. 65. AN ACT AUTHORIZING THE TOWN OF WAREHAM TO TRANSFER CERTAIN LANDS HELD AS PUBLIC DOMAIN.

Be it enacted, etc., as follows:

SECTION 1. The town of Wareham is hereby authorized, through its board of selectmen, to transfer and convey to Henry M. Channing,

Trustee under the will of William Minot, in consideration of the conveyance to said town by said Trustee of certain other land now being held by him under said will, certain parcels of land hereinafter designated as parcels A, B and C, which are portions of parcel No. 6 conveyed to the town of Wareham by Henry M. Channing, Trustee under the will of William Minot, by deed dated February 15, 1951 and recorded with Plymouth County Registry of Deeds, Book 2182, Page 173, and presently used as town forest. The said Parcels A, B and C are shown on "Plan of Minot Estate in Vicinity of Tempest Knob Terrace, Wareham, Massachusetts, dated January 25, 1951, Revised December 2, 1958" and are respectively bounded and described as follows:—

PARCEL A.—Beginning at the northwesterly corner of the within described premises, it being the northwesterly corner of Parcel No. 6, hereinbefore mentioned; thence running easterly in line of land of Henry M. Channing, Trustee, eighty feet to a point for a corner; thence turning and running southerly by a line perpendicular to the northerly boundary of the said Parcel No. 6 ninety-five feet more or less to a point for a corner and other land of Henry M. Channing, Trustee; thence turning and running northwesterly in line of other land of Henry M. Channing, Trustee, one hundred twenty feet more or less to the point of beginning; said parcel contains 3,800 square feet, more or less.

PARCEL B.—Beginning at the northwesterly corner of the within described premises at a point in the northerly boundary line of the aforementioned Parcel No. 6, said point being two hundred feet easterly of the northeasterly corner of Parcel A, described above, measured along the northerly boundary line of said Parcel No. 6; thence running easterly along the northerly boundary line of said Parcel No. 6, one thousand six hundred forty feet to a point for a corner; thence turning and running southerly by a line perpendicular to the northerly boundary line of said Parcel No. 6 one hundred feet to a point for a corner; thence turning and running westerly by a line parallel to and one hundred feet southerly from the northerly boundary line of said Parcel No. 6 one thousand six hundred forty feet to a point for a corner; thence turning and running northerly by remaining land of the Town of Wareham one hundred feet to the point of beginning; containing three and eight tenths acres, more or less. Reserving, however, to the Town of Wareham a right of access to said Parcel No. 6 at the gravelpit, the location of the right of access being already set forth in the deed from Channing, Trustee, to the Town of Wareham.

PARCEL C.—Beginning at the northwesterly corner of the within described premises at a point in the northerly boundary line of the aforementioned Parcel No. 6, said point being one hundred feet easterly of the northeasterly corner of Parcel B, measured along the northerly boundary line of said Parcel No. 6; thence running easterly along the northerly boundary line of said Parcel No. 6 one thousand four hundred ninety feet more or less to a point for a corner at land now or formerly of Frank Laine and Arvo Laine; thence turning and running southerly in line of land now or formerly of Frank Laine and

Arvo Laine one hundred feet more or less to a point for a corner, which point is distant two hundred fifty feet southerly of the southerly sideline of Minot Avenue, said distance of two hundred fifty feet being measured along a radial of the curve establishing the southerly sideline of Minot Avenue, said radial passing through the corner point last referred to; thence turning and running westerly by a line parallel to and one hundred feet southerly from the northerly boundary line of said Parcel No. 6 one thousand four hundred ninety feet more or less to a point for a corner, which point is one hundred feet southerly from the northwesterly corner of the parcel being described and is on a line perpendicular to the northerly boundary line of said Parcel No. 6; thence turning and running northerly in line of remaining land of the Town of Wareham one hundred feet to the point of beginning, containing three and four tenths acres, more or less.

SECTION 2. This act shall take full effect upon its acceptance by a majority of the voters of the town of Wareham present and voting thereon at any special or regular town meeting.

Approved February 21, 1959.

Chap. 66. AN ACT AUTHORIZING THE BUILDING AND MAINTENANCE OF A RADIO BROADCASTING SYSTEM IN THE COUNTY OF HAMPSHIRE TO AID IN FIRE PROTECTION.

Be it enacted, etc., as follows:

SECTION 1. Subject to appropriation, the county commissioners of Hampshire county are hereby authorized to expend such sums as may be necessary, not exceeding six thousand dollars, for the establishment of a radio broadcasting system to aid in the fire protection of said Hampshire county. The broadcasting station and the transmittal tower of said system shall be installed and located in such building and in such area in Hampshire county as the county commissioners and Fire Chiefs Association of said county may designate.

SECTION 2. Said broadcasting system shall be administered and operated by the fire-fighting personnel of such city or town as may be designated by the county commissioners. The cost of their services shall be borne by the city or town so designated.

SECTION 3. Said county commissioners are hereby authorized to expend such other sums as may be necessary, subject to appropriation, for the maintenance and operation of the aforesaid radio broadcasting system other than personnel, and said expenses shall be assessed and collected against the cities and towns of said county in the manner provided by law for the assessment and collection of the county tax.

SECTION 4. Notwithstanding the provisions of section one of this act, no appropriation of funds by the county of Hampshire for the purposes of this act shall be made unless prior approval of the said project is first obtained from the office of defense and civilian mobilization.

SECTION 5. This act shall take effect upon its passage.

Approved February 24, 1959.

Chap. 67. AN ACT AUTHORIZING THE BYFIELD WATER DISTRICT TO MAKE AN ADDITIONAL WATER LOAN.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of extending its water mains, the Byfield water district may borrow from time to time within five years from the passage of this act such sums as may be necessary, not exceeding in the aggregate twenty thousand dollars, and may issue bonds or notes therefor which shall bear on their face the words, Byfield Water District Loan, Act of 1959. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than twenty years from their dates. Indebtedness incurred under authority of this act shall be outside the statutory limit of indebtedness, but shall, except as otherwise provided in this act, be subject to chapter forty-four of the General Laws.

SECTION 2. This act shall take effect upon its passage.

Approved February 24, 1959.

Chap. 68. AN ACT TO PROTECT LAND TITLES FROM CERTAIN CLAIMS FOR DOWER OR CURTESY.

Be it enacted, etc., as follows:

SECTION 1. Chapter 189 of the General Laws is hereby amended by adding after section 15 the following section:—*Section 16.* After the expiration of a period of ten years from the recording of any conveyance no spouse of any party making the conveyance shall make any claim to dower or curtesy in the land conveyed unless within such period the spouse has recorded in the registry of deeds for the county or district where the land lies a notice identifying the conveyance and the place in the public records of its recording and stating that dower or curtesy may be claimed in the land thereby conveyed. A reference to such notice shall be noted on the margin of the record of the conveyance.

SECTION 2. The provisions of section sixteen of chapter one hundred and eighty-nine of the General Laws, inserted by section one of this act, shall apply to conveyances recorded prior to the effective date of this act as well as those recorded thereafter; provided, however, that as to any conveyance recorded prior to said effective date the period for recording notice that dower or curtesy may be claimed in the land thereby conveyed shall not expire prior to January first, nineteen hundred and sixty-one.

Approved February 24, 1959.

Chap. 69. AN ACT MAKING CERTAIN CORRECTIVE CHANGES IN THE ACT RELATIVE TO THE TAKING OF SMELTS FROM THE WATERS OF THE WEWEANTIC RIVER WITHIN THE TOWN OF WAREHAM BY MEANS OF NETS.

Be it enacted, etc., as follows:

Section 1 of chapter 67 of the acts of 1931 is hereby amended by striking out, in lines 11 and 12, the words "sixty-seven or sixty-nine"

and inserting in place thereof the words:—thirty-four or thirty-five,—so as to read as follows:—*Section 1.* The selectmen of the town of Wareham may grant permits to inhabitants of the towns of Wareham, Rochester, Marion and Mattapoisett authorizing the taking of smelts, between March first and April first, both dates inclusive, from the waters of Weweantic river within the limits of said town of Wareham, by means of nets, under such regulations as the said selectmen may deem advisable; provided, that such a net shall not contain more than five square feet of net surface. Any person taking smelts during said period from said waters by means of nets shall not be subject to the provisions of section thirty-four or thirty-five of chapter one hundred and thirty of the General Laws if such smelts are taken as authorized hereunder, otherwise he shall be subject to such provisions.

Approved February 24, 1959.

Chap. 70. AN ACT PROVIDING THAT CERTAIN DUTIES OF ELECTION OFFICERS RELATIVE TO ABSENT VOTING BALLOTS SHALL BE PERFORMED FORTHWITH.

Be it enacted, etc., as follows:

Section 95 of chapter 54 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by section 2 of chapter 39 of the acts of 1952, and inserting in place thereof the following sentence:—The warden or his deputy in each polling place shall forthwith, after delivery of the envelopes purporting to contain official absent voting ballots as provided in section ninety-four, and after the ballots cast have been removed from the ballot box, open all envelopes so delivered, and shall compare the signatures on the envelopes therein enclosed with the signatures on the applications attached thereto, except in the case of ballots prepared under section ninety-eight, and shall examine the postmarks, if any, and affidavits.

Approved February 24, 1959.

Chap. 71. AN ACT AUTHORIZING THE TOWN OF IPSWICH TO USE THE BALANCE OF CERTAIN FUNDS RAISED BY BOND ISSUE FOR LAYING A WATER-PIPE LINE.

Be it enacted, etc., as follows:

Notwithstanding the provisions of section twenty of chapter forty-four of the General Laws or of any other general law, or of any special law, to the contrary the town of Ipswich may for the purpose of laying a twelve-inch water-pipe line in public ways in said town appropriate and use the balance of the funds now remaining in the Standpipe Account, so called, being the balance after the completion of the standpipe in nineteen hundred and fifty-six, which funds were raised by bond issue voted at a meeting of the voters of the town of Ipswich held on December twelfth, nineteen hundred and fifty-five, under article four of the warrant for said meeting.

Approved February 24, 1959.

- Chap. 72.** AN ACT EXTENDING THE TIME DURING WHICH A STAY OR SUCCESSIVE STAYS OF EXECUTION TALLING NINE MONTHS MAY BE GRANTED IN AN ACTION OF SUMMARY PROCESS BROUGHT TO RECOVER POSSESSION OF PREMISES FOR DWELLING PURPOSES.

Be it enacted, etc., as follows:

Chapter 43 of the acts of 1946 is hereby amended by striking out section 2, as most recently amended by chapter 88 of the acts of 1958, and inserting in place thereof the following section:—*Section 2.* This act shall become inoperative on June thirtieth, nineteen hundred and sixty.

Approved February 24, 1959.

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- Chap. 73.** AN ACT AUTHORIZING CITIES AND TOWNS TO CONSTRUCT, MAINTAIN AND OPERATE INDOOR ARTIFICIAL ICE-SKATING RINKS.

Be it enacted, etc., as follows:

SECTION 1. Clause (48) of section 5 of chapter 40 of the General Laws, added by section 1 of chapter 716 of the acts of 1955, is hereby amended by striking out, in line 2 and in line 4, the word:—outdoor,—so as to read as follows:—

(48) For the construction, maintenance and operation of an artificial ice-skating rink for which refrigeration equipment is required; provided, however, that the cost of maintenance and operation of said artificial ice-skating rink, including maturing debt and interest, shall be defrayed by charges established by the city or town upon persons using said rink.

SECTION 2. Clause (2A) of section 7 of chapter 44 of the General Laws, inserted by section 2 of said chapter 716, is hereby amended by striking out, in line 1, the word “outdoor”,—so as to read as follows:—

(2A) For the construction of an artificial ice-skating rink for which refrigeration equipment is required on land owned by the city or town, fifteen years.

Approved February 24, 1959.

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- Chap. 74.** AN ACT AUTHORIZING A VOTER TO ESTABLISH, CHANGE OR CANCEL HIS PARTY ENROLMENT BY FORWARDING TO THE REGISTRARS OF VOTERS A NOTARIZED CERTIFICATE REQUESTING THE SAME.

Be it enacted, etc., as follows:

Chapter 53 of the General Laws is hereby amended by striking out section 38, as most recently amended by section 3 of chapter 237 of the acts of 1945, and inserting in place thereof the following section:—*Section 38.* No voter enrolled under this section or section thirty-seven shall be allowed to receive the ballot of any political party except that with which he is so enrolled; but a voter may, except within a period beginning with the thirty-first day prior to a primary and ending with the day prior thereto, establish, change or cancel his enrol-

ment by forwarding to the board of registrars of voters a notarized certificate requesting to have his enrolment established with a party, changed to another party or cancelled, or by appearing in person before a member of said board and requesting in writing that his enrolment be so established, changed or cancelled and such enrolment, change or cancellation shall take effect at the expiration of thirty days thereafter. No voter enrolled as a member of one political party shall be allowed to receive the ballot of any other political party, upon a claim by him of erroneous enrolment, except upon a certificate of such error from the registrars, which shall be presented to the presiding officer of the primary and shall be attached to, and considered a part of the voting list and returned and preserved therewith; but the political party enrolment of a voter shall not preclude him from receiving at a city or town primary the ballot of any municipal party, though in no one primary shall he receive more than one party ballot.

Any such notarized certificate shall be void and of no effect if the person notarizing the same is a candidate for a nomination at a party primary at the time of such notarization.

Said board shall forthwith notify each voter forwarding any such notarized certificate that the same has been received and that his enrolment has been established, changed or cancelled in accordance with his request or that said certificate is void and of no effect, if such be the case.

Approved February 24, 1959.

Chap. 75. AN ACT RELATIVE TO THE PENALTY FOR NEGLECTING OR REFUSING TO REPAIR OR REMOVE UNSAFE STRUCTURES.

Be it enacted, etc., as follows:

The third sentence of section 9 of chapter 143 of the General Laws, as appearing in section 4 of chapter 214 of the acts of 1957, is hereby amended by striking out, in lines 7 and 8, the words "forfeit to the city or town in which the structure is located" and inserting in place thereof the words:—be punished by a fine of,—so as to read as follows:—The costs and charges incurred shall constitute a lien upon the land upon which the building is located, and shall be enforced within the time and in the manner provided for the collection of taxes on land; and such owner, lessee or mortgagee in possession shall, for every day's continuance of such refusal or neglect after being so notified, be punished by a fine of not less than ten nor more than fifty dollars.

Approved February 24, 1959.

Chap. 76. AN ACT INCREASING FROM ONE YEAR TO FIVE YEARS THE TERM FOR WHICH THE CITY ENGINEER OF THE CITY OF MALDEN SHALL BE APPOINTED.

Be it enacted, etc., as follows:

SECTION 1. Chapter 384 of the acts of 1954 is hereby amended by striking out section 3, as amended by section 2 of chapter 110 of the acts of 1955, and inserting in place thereof the following section:—
 Section 3. There shall be within the department of public works, but

subject to the control of the commission, a division of highways, a division of water works, a division of engineering and a division of forestry and parks. Each such division shall assume such management and control as shall be determined by the commission. The city engineer shall be appointed quinquennially by the mayor and city council for a term commencing the first day of March and shall hold office for the term of five years next ensuing and until the qualification of his successor. His salary shall be fixed by ordinance and he shall, in addition to other duties prescribed by law, be in charge of the division of engineering.

SECTION 2. This act shall take effect upon its acceptance by the city council of the city of Malden with the approval of its mayor.

Approved February 24, 1959.

Chap. 77. AN ACT PROVIDING FOR THE HEARING OF CIVIL CASES IN THE SECOND DISTRICT COURT OF BARNSTABLE BY A FULL-TIME DISTRICT COURT JUSTICE.

Be it enacted, etc., as follows:

The first sentence of the third paragraph of section 77A of chapter 218 of the General Laws, as appearing in section 1 of chapter 675 of the acts of 1958, is hereby amended by striking out, in lines 1 and 2, the words "the second district court of Barnstable",—so as to read as follows:—Except in the municipal court of the city of Boston, the district court of Dukes county and the district court of Nantucket, no special justice, and no justice other than a full-time justice, shall hear and determine any civil cases other than supplementary proceedings, summary process, small claims, and proceedings relating to juveniles and insane persons in any district court without the authorization of the administrative committee of the district courts.

Approved February 24, 1959.

Chap. 78. AN ACT PLACING THE OFFICE OF PURCHASING AGENT OF THE CITY OF WOBURN UNDER THE CIVIL SERVICE LAWS AND PROVIDING TENURE OF OFFICE FOR THE INCUMBENT THEREOF.

Be it enacted, etc., as follows:

SECTION 1. The office of the purchasing agent of the city of Woburn shall, upon the effective date of this act, become subject to the civil service laws and rules, and the tenure of office of any incumbent thereof shall be unlimited, subject, however, to said laws. The incumbent of said office on said effective date shall be subjected by the division of civil service to a qualifying examination for said office. If he passes said examination, he shall be certified for said office and shall be deemed to be permanently appointed thereto without being required to serve a probationary period, and his tenure of office shall be unlimited, subject, however, to the provisions of said laws.

SECTION 2. This act shall be submitted to the voters of said city at the city election in the current year in the form of the following question, which shall be placed on the official ballot to be used at said

election:—"Shall an act passed by the General Court in the year nineteen hundred and fifty-nine, entitled 'An Act placing the office of purchasing agent of the city of Woburn under the civil service laws and providing tenure of office for the incumbent thereof', be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall take full effect, but not otherwise.

Approved February 24, 1959.

Chap. 79. AN ACT ESTABLISHING A FIFTY-SIX HOUR WEEK FOR THE PERMANENT MEMBERS OF THE FIRE DEPARTMENT IN THE TOWN OF WARE.

Be it enacted, etc., as follows:

SECTION 1. The hours of duty of the permanent members of the uniformed fire fighting force in the town of Ware shall be so established by the chief of the fire department that the average weekly hours of duty in any year, other than hours during which such members may be summoned and kept on duty because of conflagrations, shall not exceed fifty-six in number. Sections fifty-six, fifty-seven, fifty-eight A, and fifty-nine of chapter forty-eight of the General Laws shall not apply to the permanent members of the uniformed fire fighting force of said town.

SECTION 2. This act shall be submitted for acceptance by the voters of said town at its annual town meeting in the current year in the form of the following question, which shall be placed on the official ballot to be used at said meeting:—"Shall an act passed by the General Court in the current year, entitled 'An Act establishing a fifty-six hour week for the permanent members of the fire department in the town of Ware', be accepted?"

If a majority of the votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise.

Approved February 24, 1959.

Chap. 80. AN ACT PROVIDING FOR THE FILLING OF CERTAIN VACANCIES OF TOWN MEETING MEMBERS IN THE TOWN OF DEDHAM.

Be it enacted, etc., as follows:

SECTION 1. Chapter 358 of the acts of 1926 is hereby amended by striking out section 7 and inserting in place thereof the following section:—"Section 7. Any vacancy in the full number of town meeting members from any precinct, whether arising from a failure of the registered voters thereof to elect, or from any other cause, shall be filled until the next annual election by the selection by the town clerk of the person who received the highest number of votes as a defeated candidate for the office of town meeting member in the preceding election in the precinct where the vacancy occurs and the town clerk shall promptly notify such person of his election as a town meeting member. If for any reason such person cannot or does not accept such office, the next highest in recorded vote of the defeated candidates in that precinct shall be similarly selected.

SECTION 2. This act shall take effect upon its acceptance by a majority vote of the town meeting members of the town of Dedham present and voting thereon at an annual or special town meeting called for the purpose, but not otherwise.

Approved February 26, 1959.

Chap. 81. AN ACT AUTHORIZING THE CITY OF GLOUCESTER TO GRANT AN EASEMENT OVER CERTAIN PARK PROPERTY.

Be it enacted, etc., as follows:

SECTION 1. The city of Gloucester, acting by its city manager, may, with the approval of the director of the department of public works for said city, grant to Merrimack-Essex Electric Company an easement for the construction, maintenance and operation of poles and wires for the transmission of electricity on, over and across a portion of Fisherman's Memorial Park on Ledgemont avenue in said city; said easement to be in such form and at such location across said park as said city manager may deem proper. The amount received for the granting of such easement shall be used for the purposes stated in section sixty-three of chapter forty-four of the General Laws.

SECTION 2. This act shall take full effect upon its acceptance by vote of the city council of said city of Gloucester, subject to the provisions of its charter, but not otherwise.

Approved February 26, 1959.

Chap. 82. AN ACT ESTABLISHING A DEPARTMENT OF WATERWAYS IN THE TOWN OF HARWICH.

Be it enacted, etc., as follows:

SECTION 1. There is hereby established in the town of Harwich a department to be known as the department of waterways, hereinafter referred to as the department, and such department shall be under the supervision of an officer to be known as the superintendent of the department of waterways, hereinafter referred to as the superintendent.

The selectmen shall annually appoint said superintendent, and, subject to appropriation, shall fix his compensation, and may remove said superintendent for cause and after a hearing.

The duties of the superintendent shall include the supervision of all municipal property, structures, and facilities which are located on, adjacent to, or adjoining, and serve the use of, the shores, lakes, ponds, rivers, and harbors of the town of Harwich, excepting therefrom any part of the public waterways or beach system and the public road system under the control of any agency of the commonwealth but including the adjoining parking areas and any part of any road which might reasonably be considered to be a part of those parking areas.

The superintendent shall have and exercise all the powers and duties of harbormasters, wharfingers, shellfish wardens, and herring supervisors insofar as said duties do not conflict with the powers and duties presently exercised by any agency of the commonwealth. He shall hire all employees and purchase all materials, supplies and services

necessary for the operation of the department. He may appoint such subordinate officers as he thinks necessary and may remove the same at any time for cause. He shall, subject to appropriation, fix the compensation of all members of the department. Subject to the approval of the selectmen he may enter into contracts on behalf of the town.

The superintendent may make rules and regulations governing the officers and employees of the department, and, subject to the approval of the selectmen he may make suitable rules and regulations governing the use of the property, structures and facilities of the department including the charging of fees therefor.

SECTION 2. This act shall take effect upon its acceptance by a majority of the voters of the town of Harwich present and voting thereon at an annual or special town meeting called for the purpose but not otherwise.

Approved March 2, 1959.

Chap. 83. AN ACT AUTHORIZING FIRE DISTRICT NUMBER ONE OF THE TOWN OF SOUTH HADLEY TO BORROW MONEY FOR WATER DEPARTMENT OFFICE HOUSING AND FOR OTHER WATER DEPARTMENT PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of providing funds for the purchase of land with buildings thereon in the town of South Hadley, and for the improvement of said land and buildings, to be used as office housing for the water department of Fire District Number One of the Town of South Hadley and for other water department purposes, Fire District Number One of the Town of South Hadley may borrow, within a period of five years from the passage of this act, such sums as may be necessary, not exceeding in the aggregate fifty thousand dollars, and may issue bonds or notes of the district therefor which shall bear on their face the words, Fire District Number One of the Town of South Hadley Water Department Offices Project Loan, Act of 1959. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than twenty years from their dates. Indebtedness incurred under this act shall be within the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section nine thereof.

SECTION 2. This act shall take effect upon its passage.

Approved March 2, 1959.

Chap. 84. AN ACT VALIDATING THE ACTION OF THE TOWN OF NEEDHAM IN CHANGING THE NAME OF THE BOARD OF PARK COMMISSIONERS TO PARK AND RECREATION COMMISSION.

Be it enacted, etc., as follows:

SECTION 1. The vote taken at a special town meeting of the town of Needham on October twenty-second, nineteen hundred and fifty-eight

changing the name of the Needham board of park commissioners to the Needham park and recreation commission and transferring to said commission the powers granted to boards of park commissioners by chapter forty-five of the General Laws, is hereby validated and confirmed.

SECTION 2. This act shall take effect upon its passage.

Approved March 3, 1959.

Chap. 85. AN ACT PLACING THE OFFICE OF CHIEF OF POLICE OF THE TOWN OF LEICESTER UNDER THE CIVIL SERVICE LAWS.

Be it enacted, etc., as follows:

SECTION 1. The office of chief of police of the town of Leicester, shall, upon the effective date of this act, become subject to the civil service laws and rules, and the tenure of office of any incumbent thereof shall be unlimited, subject, however, to said laws. The incumbent of said office on said effective date shall be subjected by the division of civil service to a qualifying examination for said office. If he passes said examination, he shall be certified for said office and shall be deemed to be permanently appointed thereto without being required to serve a probationary period, and his tenure of office shall be unlimited, subject, however, to the provisions of said laws.

SECTION 2. This act shall take effect upon its acceptance by a majority of the inhabitants of the town of Leicester voting thereon at an annual town meeting or at a special town meeting called for the purpose.

Approved March 3, 1959.

Chap. 86. AN ACT AUTHORIZING THE CITY OF FALL RIVER PARK DEPARTMENT TO TRANSFER CERTAIN PARKWAY LAND TO THE PUBLIC WORKS DEPARTMENT FOR HIGHWAY PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The park department of the city of Fall River is hereby authorized to transfer to the department of public works of said city for highway purposes, a certain parcel of parkway land in said city bounded and described as follows:—Beginning at a point 335 feet, more or less, southerly from the southerly line of Pleasant Street measured along the westerly line of Eastern Avenue; thence turning and running southerly 45 feet to a point for a corner; thence turning and running easterly 27 feet to a point for a corner; thence turning and running northerly 45 feet to a point for a corner; thence turning and running westerly 27 feet to the point of beginning and containing 1,215 square feet of land, more or less, and being a portion of a certain parcel of land dedicated as a parkway by the board of aldermen of said city in the year eighteen hundred and ninety-three.

SECTION 2. This act shall take effect upon its acceptance by a vote of the city council of said city in accordance with the provisions of its charter, but not otherwise.

Approved March 3, 1959.

Chap. 87. AN ACT AUTHORIZING TRUST COMPANIES TO INVEST IN THE CAPITAL STOCK OF SMALL BUSINESS INVESTMENT COMPANIES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 172 of the General Laws is hereby amended by striking out section 33, as most recently amended by section 1 of chapter 242 of the acts of 1956, and inserting in place thereof the following section:—*Section 33.* Such corporation may, subject to the limitations of sections thirty-four, forty and forty-three, advance money or credits, whether capital or general deposits, on real estate and on personal security, on terms to be agreed upon, and also invest its money or credits, whether capital or general deposits, in the bonds or other evidences of indebtedness of corporations or of associations or trusts, both as defined in chapter one hundred and eighty-two, or of governments, or political subdivisions thereof, both foreign and domestic, or in the capital stock of any other trust company or a national banking association incorporated or doing business within the commonwealth, or in the capital stock of any small business investment company organized under the provisions of United States Public Law 85-699. Such corporation may consent to any settlement, modification or readjustment of any investment in securities legally made by such corporation, and may accept and hold as investments bonds, notes, stocks and other securities offered in full or partial settlement, modification or readjustment of any such investment, pursuant to a reorganization or otherwise.

SECTION 2. Section 43 of said chapter 172, as most recently amended by section 3 of chapter 484 of the acts of 1941, is hereby further amended by adding at the end thereof the following paragraph:—

No such corporation shall hold shares of stock in small business investment companies in an amount aggregating more than one per cent of its capital and surplus.

Approved March 3, 1959.

Chap. 88. AN ACT EXTENDING THE TIME WITHIN WHICH CERTAIN SOLDIERS AND SAILORS AND THEIR WIVES, WIDOWS, FATHERS OR MOTHERS AND BLIND PERSONS MAY FILE APPLICATIONS FOR ABATEMENT OR EXEMPTION OF TAXES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 534 of the acts of 1949 is hereby amended by striking out section 3, as most recently amended by chapter 37 of the acts of 1958, and inserting in place thereof the following section:—*Section 3.* Application for abatement or exemption, as provided in sections one and two, of taxes levied in the year nineteen hundred and fifty-eight may be made not later than October first, nineteen hundred and fifty-nine, notwithstanding any provision of law to the contrary.

SECTION 2. Clause Thirty-seventh of section 5 of chapter 59 of the General Laws, inserted by chapter 379 of the acts of 1953, is hereby amended by adding at the end the following sentence:—Notwithstanding any contrary provision of section fifty-nine, application for abatement or exemption as provided in this clause may be made on or before October first of the year following the year to which the tax relates.

Approved March 3, 1959.

Chap. 89. AN ACT RELATING TO THE RATE AND COMPUTATION OF ORDINARY DIVIDENDS ON DEPOSITS IN SAVINGS BANKS.

Be it enacted, etc., as follows:

Section 60 of chapter 168 of the General Laws, as appearing in section 1 of chapter 432 of the acts of 1955, is hereby amended by striking out paragraph 2 and inserting in place thereof the following paragraph:—

2. *Rate and Computation.*—Ordinary dividends shall be at such rate as the trustees shall determine, and if not withdrawn, shall be treated as deposits and, in computing the dividend next following, shall be considered as having been on deposit for the preceding dividend period. If the by-laws of the corporation so provide, ordinary dividends may be declared upon deposits of one, two, three, four or five months' standing. Except in the case of a change in dividend periods, no ordinary dividend shall be declared upon a deposit of less than one month's standing, provided, however, that if the by-laws or regulations of the corporation so provide, a deposit made on or before the ninth day after the day on which deposits begin to draw dividends or interest, as provided in the by-laws or regulations, or if such ninth day be a Saturday, Sunday or legal holiday, on or before the next business day succeeding such ninth day, and remaining on deposit through the balance of the monthly period, may be construed as having been on deposit one full month within the meaning of this section.

Approved March 3, 1959.

Chap. 90. AN ACT REPEALING THE PROVISIONS OF LAW PROHIBITING THE TAKING OF FISH FROM BIG HOMERS POND IN THE TOWN OF WEST TISBURY OTHERWISE THAN BY MEANS OF FLY FISHING.

Be it enacted, etc., as follows:

Chapter one hundred and fifty-seven of the acts of nineteen hundred and forty-one is hereby repealed.

Approved March 3, 1959.

Chap. 91. AN ACT TO ALLOW FIRE DISTRICTS TO PURCHASE, OPERATE AND MAINTAIN AMBULANCES.

Be it enacted, etc., as follows:

Chapter 48 of the General Laws is hereby amended by striking out section 69, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:—*Section 69.* Such districts may, at meetings called therefor, raise money by taxation for the purchase of engines and other articles necessary for the extinguishment of fires, for hydrant and water service, for the purchase of land, for the erection and repairs of necessary buildings, for the erection and maintenance of street lamps within their limits, for the purchase, operation and maintenance of ambulances, for the payment of a proper charge of an insurance company for acting as surety on an official bond which may be given to such district by any of its officers, and for other incidental expenses of the fire department. The prudential committee of such district may accept an insurance company as sufficient surety upon such bond.

Approved March 3, 1959.

Chap. 92. AN ACT FURTHER REGULATING REAL ESTATE LOANS BY CREDIT UNIONS.

Be it enacted, etc., as follows:

The first paragraph of subdivision (B) of section 24 of chapter 171 of the General Laws is hereby amended by striking out the third sentence, inserted by chapter 122 of the acts of 1955, and inserting in place thereof the following sentence:—Any credit union having assets of five hundred thousand dollars or more may loan upon any one parcel of real estate to an amount not exceeding fifteen thousand dollars, and the total liability of any one member as borrower on loans so secured shall not exceed thirty thousand dollars.

Approved March 3, 1959.

Chap. 93. AN ACT RELATIVE TO THE SALARIES OF CERTAIN JUSTICES OF CERTAIN DISTRICT COURTS.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section three of chapter six hundred and seventy-five of the acts of nineteen hundred and fifty-eight any justice of any district court, other than the municipal court of the city of Boston, who was appointed to said office between August first, nineteen hundred and fifty-eight and January sixth, nineteen hundred and fifty-nine, both dates inclusive, shall receive such salary as is provided by sections seventy-seven A or seventy-eight of chapter two hundred and eighteen of the General Laws, as appearing in sections one and two, respectively, of said chapter six hundred and seventy-five, or as from time to time hereafter amended.

SECTION 2. This act shall take effect as of August first, nineteen hundred and fifty-eight.

Approved March 3, 1959.

Chap. 94. AN ACT PROVIDING TENURE OF OFFICE FOR WILLIAM M. McLAUGHLIN, INCUMBENT OF THE OFFICE OF PARKING METER CO-ORDINATOR IN THE CITY OF CAMBRIDGE.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of William M. McLaughlin, incumbent of the office of parking meter co-ordinator in the city of Cambridge, shall upon the effective date of this act be unlimited, but he may be removed therefrom for cause after hearing in the manner provided by section forty-three of chapter thirty-one of the General Laws.

SECTION 2. This act shall take effect upon its acceptance by the city council of the city of Cambridge in accordance with the provisions of its charter, but not otherwise.

Approved March 5, 1959.

Chap. 95. AN ACT PROVIDING TENURE OF OFFICE FOR WALTER PELLETIER, THE SERGEANT OF POLICE OF THE TOWN OF LANCASTER.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of Walter Pelletier, the incumbent of the office of sergeant of police of the town of Lancaster, shall be

unlimited. Said incumbent shall not be removed from office, lowered in rank or suspended, except for just cause and for reasons specifically given him in writing by the board of selectmen.

SECTION 2. This act shall be submitted to the voters of the town of Lancaster at the annual town meeting to be held in the current year in the form of the following question, which shall be placed upon the official ballot to be used for the election of town officers at said meeting:—"Shall an act passed by the General Court in the year nineteen hundred and fifty-nine, entitled 'An Act providing tenure of office for Walter Pelletier, the sergeant of police of the town of Lancaster', be accepted?" If a majority of the votes cast in answer to said question is in the affirmative, this act shall take full effect.

Approved March 5, 1959.

Chap. 96. AN ACT CLARIFYING THE LAW REQUIRING THE COMMON-WEALTH TO PURCHASE MEATS AND MEAT PROVISIONS FROM SUCH ESTABLISHMENTS ONLY AS PAY THE PREVAILING RATE OF WAGES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make its clarifying provisions effective forthwith, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

Be it enacted, etc., as follows:

Clause (18) of section 22 of chapter 7 of the General Laws, added by chapter 727 of the acts of 1955, is hereby amended by striking out, in lines 17, 29 and 35, the words "this section" and inserting in place thereof, in each instance, the words:—clause (18),—and by inserting after the word "performance", in line 42, the words:—under clause (18).

Approved March 9, 1959.

Chap. 97. AN ACT PROVIDING UNLIMITED TENURE OF OFFICE FOR RAYNARD E. WHITCHER INCUMBENT OF THE OFFICE OF HIGHWAY SURVEYOR OF THE TOWN OF AUBURN.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of Raynard E. Whiteher, incumbent of the office of highway surveyor of the town of Auburn, shall, upon the effective date of this act, be unlimited, but he may be removed therefrom for cause after hearing in the manner provided by section forty-three of chapter thirty-one of the General Laws.

SECTION 2. This act shall be submitted to the voters of said town at the next annual meeting in the form of the following question, which shall be placed upon the official ballot to be used for the election of town officers at said meeting:—"Shall an act passed by the General Court in the year nineteen hundred and fifty-nine, entitled, 'An Act providing unlimited tenure of office for Raynard E. Whiteher, incumbent of the office of highway surveyor of the town of Auburn', be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise.

Approved March 9, 1959.

Chap. 98. AN ACT AUTHORIZING THE SELECTMEN OF A TOWN TO MAKE AN INVESTIGATION OF ANY TOWN DEPARTMENT.

Be it enacted, etc., as follows:

Chapter 41 of the General Laws is hereby amended by inserting after section 23A, inserted by chapter 145 of the acts of 1956, the following section:—*Section 23B.* The selectmen of any town may make an investigation into the conduct and operation of any town department. Upon completion of such investigation a report shall be submitted to the town clerk and such report shall be printed in the annual town report.

Approved March 9, 1959.

Chap. 99. AN ACT RELATIVE TO THE APPROVAL OF THE EMERGENCY FINANCE BOARD OF CERTAIN INDEBTEDNESS OF CITIES AND TOWNS.

Be it enacted, etc., as follows:

Section 10 of chapter 44 of the General Laws, as most recently amended by chapter 56 of the acts of 1952, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence:—A city may authorize indebtedness in excess of two and one half per cent but not in excess of five per cent, and a town may authorize indebtedness in excess of five per cent but not in excess of ten per cent, on the aforesaid average of the assessors' valuations of the taxable property; provided, however, that the amount of indebtedness so authorized shall be subject to the approval of the emergency finance board established under chapter forty-nine of the acts of nineteen hundred and thirty-three, which approval may be given either before or after such authorization.

Approved March 9, 1959.

Chap. 100 AN ACT PROVIDING LIFE TENURE FOR CECIL DESKIN, THE PRESENT INCUMBENT OF THE OFFICES OF ELECTION COMMISSIONER AND SECRETARY TO THE BOARD OF ELECTION COMMISSIONERS IN THE CITY OF REVERE.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of Cecil Deskin, the present incumbent of the office of election commissioner of the city of Revere who is also the present incumbent of the office of secretary to the board of election commissioners in said city shall be unlimited with respect to both said offices. Said incumbent shall not be removed from the said offices, lowered in rank or suspended, except in accordance with the provisions of section forty-three of chapter thirty-one of the General Laws.

SECTION 2. This act shall take effect upon its acceptance by the city council of said city, subject to the provisions of its charter, but not otherwise,

Approved March 9, 1959.

Chap. 101. AN ACT RELATIVE TO THE ASSESSMENT OF THE COSTS OF CERTAIN SEWERS OF THE SEWERAGE SYSTEM IN THE TOWN OF ANDOVER.

Be it enacted, etc., as follows:

The last sentence of section 11 of chapter 386 of the acts of 1895 is hereby amended by inserting after the word "street", in line 5, the words:—, except when a connection which benefits the estate is made to such a sewer,—so as to read as follows:—When a sewer has been built running through land other than a street no assessment shall be made as to said land abutting on said sewer until that part thereof occupied by the sewer has been laid out as a street, except when a connection which benefits the estate is made to such a sewer.

Approved March 9, 1959.

Chap. 102. AN ACT AUTHORIZING CREDIT UNIONS TO MAKE CERTAIN CONSTRUCTION MORTGAGE LOANS ON REAL ESTATE.

Be it enacted, etc., as follows:

Paragraph 3 of subdivision (B) of section 24 of chapter 171 of the General Laws, as amended by section 1 of chapter 105 of the acts of 1952, is hereby further amended by adding at the end the following sentence:—With the prior written approval of the commissioner of banks, a credit union may make construction mortgage loans on real estate with respect to any of the types of real estate mortgage loans authorized by this chapter.

Approved March 9, 1959.

Chap. 103. AN ACT PROVIDING THAT COMPENSATION OF EMPLOYEES OF THE PUBLIC WORKS DEPARTMENT OF THE CITY OF MALDEN SHALL BE ESTABLISHED BY THE CITY COUNCIL.

Be it enacted, etc., as follows:

SECTION 1. Chapter 384 of the acts of 1954 is hereby amended by striking out section 2, as amended by section 1 of chapter 110 of the acts of 1955, and inserting in place thereof the following section:—
Section 2. All the powers, duties, facilities, properties and appropriations now or from time to time vested by law or ordinances of the city in the street and water commission, park commission, board of survey, city forester and city engineer of the said city shall vest in and be exercised and performed by the public works commission after the appointment and qualification of its members, provided, however, that the compensation of all the employees of the public works department shall be fixed by ordinance by the city council, notwithstanding the provisions of any general or special law to the contrary. The commission shall have the powers of the board of aldermen under and subject to the provisions of chapter forty, section fourteen, of the General Laws to purchase or take by eminent domain under chapter seventy-nine of the General Laws any land, easement or right therein for the purpose of carrying out any of its powers or duties. Upon the appointment and qualification of the public works commission as aforesaid, the street and water commission, the park commission, the board of

survey, and the office of the city forester shall thereupon be abolished.

SECTION 2. This act shall take full effect upon its acceptance by vote of the city council of the city of Malden, subject to the provisions of its charter, but not otherwise.

Approved March 9, 1959.

Chap. 104. AN ACT AUTHORIZING THE CITY OF MELROSE TO MAKE TEMPORARY REPAIRS ON CERTAIN PRIVATE WAYS WITHOUT OBTAINING INDEMNIFICATION AGREEMENTS.

Be it enacted, etc., as follows:

So much of section six G of chapter forty of the General Laws as provides that temporary repairs on private ways shall not be undertaken unless and until the mayor and city council have in their possession agreements executed by all abutting owners to release and save the city harmless on account of any damage whatever caused by such repairs, shall not apply to such repairs undertaken by the city of Melrose under the provisions of said section six G.

Approved March 9, 1959.

Chap. 105. AN ACT RELATIVE TO PROCEDURE FOR THE FORECLOSURE OF MORTGAGES UNDER THE SOLDIERS' AND SAILORS' CIVIL RELIEF ACT.

Be it enacted, etc., as follows:

SECTION 1. The form of notice in section 1 of chapter 57 of the acts of 1943 is hereby amended by striking out the salutation or greeting and inserting in place thereof the following:—

To (insert the names of all defendants named in the bill) and to all persons entitled to the benefit of the Soldiers' and Sailors' Civil Relief Act of 1940 as amended:

SECTION 2. Said section 1 of said chapter 57 is hereby further amended by adding at the end the following paragraph:—

In proceedings under this section, no person who is not entitled to the benefit of the Soldiers' and Sailors' Civil Relief Act of 1940 as amended, with respect to the mortgage, trust deed or other security described in the bill whether named as a defendant in the bill or not shall be entitled to appear or be heard in such proceeding except on behalf of a person so entitled, or unless an affidavit by the claimant, or a certificate by counsel appearing for him, stating that he is in the service and thus entitled to the benefit of the act, is filed with the appearances. Such proceedings shall be limited to the issues of the existence of such persons and their rights, if any.

Approved March 9, 1959.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, March 20, 1959.

The Honorable JOSEPH D. WARD, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

DEAR MR. SECRETARY: — I, Foster Furcolo, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution, the

Referendum 11, Emergency Measures, hereby declare in my opinion the immediate preservation of the public convenience requires that the law being Chapter 105 of the Acts of 1959, entitled, "An Act Relative to Procedure for the Foreclosure of Mortgages under the Soldiers' and Sailors' Civil Relief Act," and the enactment of which received my approval on March 9, 1959, should take effect forthwith.

I further declare that in my opinion said law is an emergency law and the facts constituting the emergency are as follows:

Postponement of the operation of this act for ninety days would defeat its purpose which is to immediately preserve the rights of certain individuals in connection with the foreclosure of mortgages under the Soldiers' and Sailors' Civil Relief Act.

Very truly yours,

FOSTER FURCOLO,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, March 20, 1959.

I, Joseph D. Ward, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at four o'clock and forty-three minutes, P.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter one hundred and five of the acts of nineteen hundred and fifty-nine.

JOSEPH D. WARD,
Secretary of the Commonwealth.

Chap. 106. AN ACT TO EXTEND THE TIME WITHIN WHICH COUNTIES, CITIES, TOWNS AND DISTRICTS MAY INCUR DEBT TO SECURE THE BENEFITS PROVIDED BY THE FEDERAL GOVERNMENT TO ASSIST THEM IN PUBLIC WORKS PROJECTS.

Be it enacted, etc., as follows:

Section 6 of chapter 74 of the acts of 1945, as most recently amended by chapter 222 of the acts of 1957, is hereby further amended by striking out, in line 3, the word "fifty-nine" and inserting in place thereof the word:—sixty-one,—so as to read as follows:—*Section 6.* Loans by counties, cities, towns and districts may be authorized under the provisions of this act until July first, nineteen hundred and sixty-one.

Approved March 9, 1959.

Chap. 107. AN ACT INCREASING THE PENALTY IMPOSED FOR THE IMPROPER DISPOSAL OF CONTAINERS USED FOR REFRIGERATIVE PURPOSES.

Be it enacted, etc., as follows:

Section 46 of chapter 271 of the General Laws, as most recently amended by chapter 604 of the acts of 1958, is hereby further amended by striking out, in line 5, the word "hundred" and inserting in place thereof the word:—thousand,—so as to read as follows:—*Section 46.*

Whoever discards or sets aside for failure to use a container originally used for refrigerative purposes without first removing the door or doors, unless the container may be easily opened from the inside, shall be punished by a fine of not more than one thousand dollars.

Approved March 9, 1959.

Chap. 108. AN ACT FURTHER REGULATING REAL ESTATE LOANS BY CO-OPERATIVE BANKS.

Be it enacted, etc., as follows:

SECTION 1. Section 24 of chapter 170 of the General Laws is hereby amended by striking out subsection 3, as amended by section 2 of chapter 118 of the acts of 1955, and inserting in place thereof the following subsection:—

3. Except as otherwise provided by law, the amount of any loan when made or acquired shall not exceed eighty per cent of the value of the mortgaged property as certified by the security committee; provided, that the amount of any loan made for a term to exceed twenty years shall not exceed seventy-five per cent of the value of the mortgaged property as certified by the security committee.

SECTION 2. Said section 24 of said chapter 170 is hereby further amended by striking out subsection 4, as most recently amended by chapter 96 of the acts of 1958, and inserting in place thereof the following subsection:—

4. The principal sum of any loan secured by a mortgage on any one parcel of real estate shall when made, or the unpaid principal balance outstanding on any loan so secured shall when acquired, not exceed twenty-five thousand dollars; provided, that the aggregate amount of loans, as to each of which the unpaid balance of principal outstanding is more than twenty thousand dollars, shall not at any time exceed five per cent of the deposits of the corporation; and, further provided, that loans over twenty thousand dollars and not exceeding twenty-five thousand dollars shall not exceed seventy-five per cent of the value of the mortgaged property as certified by the security committee.

Approved March 9, 1959.

Chap. 109. AN ACT REQUIRING A CERTAIN NOTICE TO BE GIVEN IN CONNECTION WITH THE PREPARATION AND TRANSMISSION OF PAPERS SUBMITTED TO THE SUPREME JUDICIAL COURT IN APPELLATE PROCEEDINGS.

Be it enacted, etc., as follows:

The last paragraph of section 135 of chapter 231 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:— In order to carry any question of law from the supreme judicial court when held by a single justice or from any other court to the full court of the supreme judicial court upon appeal, exception, reservation, report or otherwise as authorized by law, the party having the obligation to cause the necessary papers hereinbefore

specified to be prepared shall give to the clerk, recorder, register or other appropriate official of the court in which the case is pending, within ten days after such party has been notified by such clerk, recorder, register or official that the case has become ripe for final preparation and printing of the record for the full court, an order in writing for the preparation of such papers and copies of papers for transmission to the full court of the supreme judicial court.

Approved March 9, 1959.

Chap. 110. AN ACT GRANTING UNLIMITED TENURE OF OFFICE TO THE PRESENT INCUMBENT OF THE OFFICE OF COMMISSIONER OF PUBLIC HEALTH OF THE CITY OF QUINCY UNTIL HE ATTAINS THE AGE OF SEVENTY.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of the present incumbent of the office of commissioner of public health of the city of Quincy shall be unlimited until he attains age seventy and he shall not be removed, lowered in rank or suspended except in compliance with section forty-three of chapter thirty-one of the General Laws.

SECTION 2. This act shall take full effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter, but not otherwise.

Approved March 9, 1959.

Chap. 111. AN ACT PROVIDING TENURE FOR CERTAIN HOSPITAL AND INFIRMARY EMPLOYEES IN THE CITY OF FALL RIVER.

Be it enacted, etc., as follows:

SECTION 1. No person employed in the Fall River General Hospital or the Bayside City Home and Infirmary, except an employee, other than a nurse, rendering professional service, who is not classified under chapter thirty-one of the General Laws, shall after having actually performed the duties of the office or position for a period of six months in the above named hospital or home, be discharged, removed, suspended, laid off, transferred from the latest office or employment held by him without his consent, lowered in rank or compensation, nor shall his office or position be abolished, except for just cause and in the manner provided by section forty-three of said chapter thirty-one.

SECTION 2. This act shall take effect upon its acceptance by the city council and the mayor of said city in accordance with the provisions of its charter, but not otherwise.

Approved March 9, 1959.

Chap. 112. AN ACT RELATIVE TO THE APPOINTMENT OF SUBSTITUTES FOR CERTAIN CITY OFFICIALS IN FALL RIVER.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 80 of the acts of 1920 is hereby amended by striking out, in line 2, the word "male",—so as to read

as follows:— *Section 1.* The city treasurer and the city collector of the city of Fall River shall each appoint one of their clerks as assistant treasurer and assistant collector, respectively. The said assistants shall, in cases which will not admit of delay, perform the duties and exercise the authority imposed or conferred by law or ordinance upon their respective chiefs, in case of their absence or disability, or of a vacancy in the office.

SECTION 2. This act shall take effect upon its acceptance by the city council of said city subject to the provisions of its charter, but not otherwise.

Approved March 9, 1959.

Chap. 113. AN ACT AUTHORIZING CITIES AND TOWNS TO APPROPRIATE MONEY FOR THE TRANSPORTATION OF GROUPS COMPOSED OF PUBLIC SCHOOL PUPILS WHICH BEAR THE SCHOOL NAME AND ARE UNDER THE CONTROL OF THE SCHOOL COMMITTEE.

Be it enacted, etc., as follows:

Section 47 of chapter 71 of the General Laws, as most recently amended by chapter 271 of the acts of 1954, is hereby further amended by striking out the fourth sentence and inserting in place thereof the following sentence:— Cities and towns may appropriate for the employment of coaches to supervise in public schools physical training and exercises, athletics, sports, games and play, and for the transportation of public school athletic teams, coaches, cheerleaders, bands and any other groups composed of public school pupils which bear the school name and are under the control of the school committee, within and without the commonwealth to places where athletic contests or physical exercises, sports, games, play, musical festivals, competitions or other events are held, and for the purchase of uniforms and musical instruments for the members of bands composed of public school pupils and bearing the school name and under the control of the school committee.

Approved March 9, 1959.

Chap. 114. AN ACT AUTHORIZING THE TOWN OF WATERTOWN TO PAY A CERTAIN UNPAID BILL TO LEROY C. TITUS.

Be it enacted, etc., as follows:

For the purpose of discharging a moral obligation, the town of Watertown is hereby authorized to appropriate money for the payment of, and after such appropriation the treasurer of said town is hereby authorized to pay, an unpaid bill incurred by said town in the amount of two thousand, one hundred and twelve dollars and seventy-six cents, to Leroy C. Titus, contractor, for services rendered and materials supplied to said town in the year nineteen hundred and fifty-eight, which bill is legally unenforceable against said town by reason of said services and materials not having been engaged pursuant to provisions of the General Laws and town by-laws and having been incurred in the absence of available appropriations.

Approved March 9, 1959.

Chap. 115. AN ACT PROVIDING THAT PERSONS OVER FORTY-FIVE YEARS OF AGE SHALL NOT BE ELIGIBLE FOR EXAMINATION FOR APPOINTMENT AS A DETECTIVE IN THE DIVISION OF STATE POLICE.

Be it enacted, etc., as follows:

The first paragraph of section 20 of chapter 31 of the General Laws, as appearing in section 1 of chapter 354 of the acts of 1947, is hereby amended by adding at the end the following sentence:—No person shall be eligible to take any examination for appointment as a detective in the division of state police who on the date of such examination is over forty-five years of age.

Approved March 9, 1959.

Chap. 116. AN ACT INCREASING THE NET SURPLUS WHICH THE LUNENBURG WATER DISTRICT OF LUNENBURG MAY ACCUMULATE BEFORE REDUCING THE WATER RATES.

Be it enacted, etc., as follows:

SECTION 1. Section 10 of chapter 17 of the acts of 1939 is hereby amended by striking out, in line 11, the word "three" and inserting in place thereof the word:—five,—so as to read as follows:—*Section 10.* Said board of water commissioners shall fix just and equitable prices and rates for the use of water, and shall prescribe the time and manner of payment. The income of the water works shall be appropriated to defray all operating expenses, interest charges and payments on the principal as they shall accrue upon any bonds or notes issued under authority of this act. If there should be a net surplus remaining after providing for the aforesaid charges, it may be appropriated for such new construction as said water commissioners may recommend, and in case a surplus exceeding five thousand dollars should remain after payment for such new construction the water rates shall be reduced proportionately. Said water commissioners shall annually, and as often as the district may require, render a report upon the condition of the works under their charge, and an account of their doings, including an account of receipts and expenditures.

SECTION 2. This act shall take effect upon its acceptance by a majority of the voters of the Lunenburg Water District of Lunenburg present and voting thereon at a meeting called for that purpose.

Approved March 9, 1959.

Chap. 117. AN ACT PROVIDING FOR THE REMOVAL OF CERTAIN PERSONS REFUSING APPOINTMENT AS PERMANENT FULL TIME JUNIOR BUILDING CUSTODIANS IN THE SCHOOL DEPARTMENT OF THE CITY OF EVERETT.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provisions of law to the contrary, any permanent intermittent junior building custodian in the school department of the city of Everett, except one serving in the military or naval service at the time of civil service certification, who refuses

to accept appointment as a permanent full time junior building custodian in said school department on the occasion of three separate certifications after July first, nineteen hundred and fifty-nine shall be ineligible for further certification, and shall thereupon cease to be a permanent intermittent junior building custodian. The appointing officer shall forward to the director of the division of civil service and to the permanent intermittent junior building custodian affected a notification of the termination of the service of such permanent intermittent junior building custodian, setting forth the occasion of each refusal and the date upon which the services of such permanent intermittent junior building custodian ceased.

SECTION 2. The provisions of this act shall not apply to any person holding elective office in the city of Everett until the expiration of the term for which he was elected.

SECTION 3. This act shall take effect upon its acceptance by the school committee of the city of Everett and by the city council of said city, subject to the provisions of its charter, but not otherwise.

Approved March 9, 1959.

Chap. 118. AN ACT REDUCING THE PERIOD BETWEEN THE TIME OF FILING OF NOTICE OF INTENTION OF MARRIAGE AND MARRIAGE FROM FIVE TO THREE DAYS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 207 of the General Laws is hereby amended by striking out section 19, as amended by section 41 of chapter 550 of the acts of 1948, and inserting in place thereof the following section:—

Section 19. Persons intending to be joined in marriage in the commonwealth shall, not less than three days before their marriage, cause notice of their intention to be filed in the office of the clerk or registrar of the city or town where each of them dwells, or, if they do not dwell within the commonwealth, in the office of the clerk or registrar of the city or town where they propose to have the marriage solemnized and pay the fee provided by clause (42) of section thirty-four of chapter two hundred and sixty-two. In computing the three day period specified in this section and in determining the third day referred to in section twenty-eight, Sundays and holidays shall be counted.

SECTION 2. Section 28 of said chapter 207, as amended by section 2 of chapter 601 of the acts of 1941, is hereby further amended by striking out, in line 1, the word "fifth" and inserting in place thereof the word:—third.

Approved March 9, 1959.

Chap. 119. AN ACT AUTHORIZING THE TOWN OF WRENTHAM TO RECEIVE AND ADMINISTER THE PROPERTY OF THE SHELDONVILLE CEMETERY CORPORATION IN SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. The Sheldonville Cemetery Corporation, a corporation duly incorporated by law and situated in the town of Wrentham, hereinafter called the corporation, may, by deed duly executed, convey and transfer to said town, and said town is hereby authorized and

empowered to receive, and thereafter to hold and maintain, but for cemetery purposes only, and subject to all rights heretofore existing in any burial lots, the real and personal property of the corporation not subject to any trust, and thereupon, and upon the transfer of the trust funds as hereinafter provided, the corporation shall be dissolved; and the cemetery of the corporation shall be and become a public burial place, grounds or cemetery.

SECTION 2. In so far as authorized by a decree of a court of competent jurisdiction and in compliance with the terms and conditions of such decree, said town may receive from the corporation a conveyance and transfer of, and administer, all funds or other property held by the corporation in trust for the perpetual care of the lots in its cemetery and for other purposes, and also any property devised or bequeathed to the corporation under the will of any person living at the time of said transfer or conveyance or under the will of any deceased person not then probated. Interest and dividends, accruing on funds deposited in trust with any savings bank, under authority of section twenty-five of chapter one hundred and sixty-eight of the General Laws, or with any other banking institution, for the benefit of the corporation, or of any lots in its cemetery, may, after such conveyance, be paid by such bank or institution to the treasurer of said town; and upon such payment said treasurer shall use the same for the purposes of said trusts.

SECTION 3. All real and personal property and property rights, acquired by said town from the corporation under authority of section one shall be held and managed by said town in the same manner in which cities and towns are authorized by law to hold and manage property for cemetery purposes; provided, that all rights which any persons have acquired in the cemetery of the corporation, or any lots therein, shall remain in force to the same extent as if this act had not been passed and such transfer had not occurred. The records of the corporation shall be delivered to the clerk of said town, and such clerk may certify copies thereof.

SECTION 4. This act shall take effect upon its acceptance by a majority vote of the voters of the town of Wrentham voting thereon at a regular or special town meeting, but not otherwise.

Approved March 9, 1959.

Chap. 120. AN ACT INCREASING THE AMOUNT OF PENSION OF CERTAIN RETIRED POLICE OFFICERS AND FIRE FIGHTERS WHO HAD NOT ATTAINED AGE SIXTY AT THE TIME OF RETIREMENT.

Be it enacted, etc., as follows:

SECTION 1. The amount of pension of every retired police officer and fire fighter who at the time of his retirement had at least twenty years of creditable service shall be increased by three hundred dollars; provided, however, that the total annual amount of any such pension as so increased shall not exceed twenty-five hundred dollars, and provided, further, that no pension increase shall be paid under this act to any police officer or fire fighter who is eligible for, or who has received a pension increase under the provisions of chapter four hundred and twenty-seven of the acts of nineteen hundred and fifty-seven.

SECTION 2. This act shall take effect upon its acceptance in a city having a Plan D or Plan E charter by the affirmative vote of a majority of all the members of the city council; in a city not having such a charter by vote of the city council, subject to the provisions of the charter of such city; and in a town by a majority vote at a town meeting.

Approved March 13, 1959.

Chap. 121. AN ACT AUTHORIZING ADVANCE PAYMENTS TO CERTAIN EMPLOYEES OF CITIES, TOWNS OR COUNTIES WHO ARE ELIGIBLE FOR RETIREMENT.

Be it enacted, etc., as follows:

Chapter 32 of the General Laws is hereby amended by inserting after section 98, inserted by chapter 403 of the acts of 1958, the following section:—*Section 99.* The treasurer of any city, town or county which accepts this section may make advance payments in an amount not to exceed any retirement allowance actually due to employees of such city, town or county who are eligible for, and who have filed applications for, retirement, during such period as is necessary for the processing of such applications for retirement, and shall establish rules and regulations governing such payments.

This section shall take effect upon its acceptance in a city by vote of the city council, subject to the provisions of its charter; in a town by vote of the voters at a town meeting; and in a county by vote of the county commissioners.

Approved March 13, 1959.

Chap. 122. AN ACT AUTHORIZING TRUSTEES OF THE AMERICAN COLLEGE FOR GIRLS AT ISTANBUL IN TURKEY TO MERGE OR CONSOLIDATE WITH THE TRUSTEES OF ROBERT COLLEGE OF ISTANBUL.

Be it enacted, etc., as follows:

SECTION 1. In so far as it may be competent on the part of the commonwealth so to do Trustees of the American College for Girls at Istanbul in Turkey, incorporated by chapter two hundred and forty-nine of the acts of nineteen hundred and eight, and the name of said corporation changed on December fifth, nineteen hundred and thirty-two pursuant to the provisions of the General Laws, is hereby authorized to merge or consolidate with, and, as, if and when authorized by decree of the supreme judicial court of the commonwealth, to transfer all of its real and personal property, including its trust funds which are to remain subject to the trusts imposed thereon, to The Trustees of Robert College of Istanbul, a charitable and educational corporation organized under the laws of the State of New York, upon the following terms and conditions:—

(1) That said New York corporation agrees to maintain in Turkey a college or colleges and the preparatory school or schools in connection therewith for the education of boys and girls, and in its discretion a graduate school in Turkey for boys or girls or both boys and girls;

(2) That said Trustees of the American College for Girls at Istanbul in Turkey transfers all of its real and personal property, including its trust funds which are to remain subject to the trusts imposed thereon, upon such merger or consolidation to said New York corporation;

(3) That said New York corporation agrees that all property so transferred shall be devoted solely to the use of those departments of the colleges or schools operated in Turkey by said New York corporation as are concerned with the education of girls;

(4) That said merger or consolidation and transfer to said New York corporation is approved by the appropriate authority in the State of New York.

SECTION 2. Upon the completion of such merger or consolidation and said transfer the Trustees of the American College for Girls at Istanbul in Turkey shall be dissolved.

SECTION 3. Upon the completion of such merger or consolidation and said transfer any bequests or devises now or hereafter made to Trustees of the American College for Girls at Istanbul in Turkey shall pass and belong to the said New York corporation or its successors, to be used for the education of girls; and so far as is necessary for this purpose, the existence of Trustees of the American College for Girls at Istanbul in Turkey shall be deemed to continue in and through said The Trustees of Robert College of Istanbul.

Approved March 13, 1959.

Chap. 123. AN ACT PROVIDING THAT IF ANY PART OF A MANDATORY MINIMUM FAIR WAGE ORDER IS HELD TO BE UNCONSTITUTIONAL THE REMAINING PARTS SHALL NOT BE AFFECTED THEREBY.

Be it enacted, etc., as follows:

Section 14 of chapter 151 of the General Laws, as appearing in section 1 of chapter 432 of the acts of 1947, is hereby amended by adding at the end the following paragraph:—If any part of any mandatory minimum fair wage order is severable therefrom and if such part is held to be invalid or unconstitutional the remaining parts of said order shall not be affected thereby, but shall continue in effect as if the part determined to be invalid or unconstitutional had not been included therein.

Approved March 13, 1959.

Chap. 124. AN ACT EXCLUDING TOWN MEETING MEMBERS OF THE TOWN OF SHREWSBURY FROM THE LAW PROHIBITING AN OFFICIAL OF SAID TOWN FROM MAKING OR HAVING ANY INTEREST IN ANY CONTRACT WITH SAID TOWN UNLESS HE GIVES NOTICE THEREOF TO THE SELECTMEN AND THE TOWN MANAGER.

Be it enacted, etc., as follows:

SECTION 1. Chapter 559 of the acts of 1953 is hereby amended by striking out section 15 and inserting in place thereof the following section:—

Section 15. Certain Officers not to make Contracts with the Town.—It shall be unlawful for any selectman, the town manager, or any other elective or appointive official of the town other than a town meeting member, directly or indirectly, to make a contract with the town, or to receive any commissions, discount, bonus, gift, contribution or reward from, or any share in the profits of, any person or corporation making or performing such contract, unless the official concerned, immediately upon learning of the existence of such contract, or that such a contract is proposed, shall notify the selectmen and the town manager, by registered mail, of the contract and of the nature of his interest therein, and shall abstain from doing any official act on behalf of the town in reference thereto. In case such interest exists on the part of an officer whose duty it is to make such a contract on behalf of the town, the contract may be made by another officer of the town duly authorized thereto by vote of the selectmen. Violation of any provision of this section shall render the contract in respect to which such violation occurs voidable at the option of the town. Any person violating any provision of this section shall be punished by a fine of not more than one thousand dollars, or by imprisonment for not more than one year, or both.

SECTION 2. This act shall take full effect upon its acceptance by a majority of the town meeting members of the town of Shrewsbury present and voting thereon at a regular or special town meeting, but not otherwise.

Approved March 13, 1959.

Chap. 125. AN ACT RELATIVE TO THE SALE, MORTGAGE OR LEASE OF REAL ESTATE HELD BY AN ABSENTEE UNDER TENANCY BY THE ENTIRETY.

Be it enacted, etc., as follows:

SECTION 1. Chapter 202 of the General Laws is hereby amended by striking out section 36 and the caption preceding it, added by section 1 of chapter 418 of the acts of 1945, and inserting in place thereof the following caption and section:—SALES, MORTGAGES AND LEASES BY LEGAL REPRESENTATIVES OF CERTAIN PERSONS HOLDING REAL ESTATE UNDER TENANCIES BY THE ENTIRETY. *Section 36.* On petition under any provision of this chapter by a guardian or conservator of a ward who is a tenant by the entirety of real estate or by a receiver, appointed under chapter two hundred, of an absentee person who is such a tenant by the entirety, for a license to sell, mortgage or lease such real estate, the probate court may, if the other tenant by the entirety assents in writing, authorize such guardian, conservator or receiver to join with such other tenant by the entirety in the conveyance, mortgage or lease of such real estate upon such terms as it may approve.

SECTION 2. Any license heretofore granted by a probate court to a receiver of an absentee person who is a tenant by the entirety of real estate to sell, mortgage or lease such real estate, and any conveyance, mortgage or lease under authority thereof in which the other tenant by the entirety joins or has joined, is hereby made valid, in so far as such

license or conveyance, mortgage or lease may be invalid by reason of any lack of power in such court to grant such a license.

Approved March 13, 1959.

Chap. 126. AN ACT TO CONSOLIDATE OLD STURBRIDGE, INC. AND WELLS HISTORICAL MUSEUM.

Be it enacted, etc., as follows:

SECTION 1. Old Sturbridge, Inc., incorporated pursuant to the provisions of chapter one hundred and eighty of the General Laws, under the name of Quinebaug Village Corporation, the certificate of incorporation of which is dated August eighth, nineteen hundred and thirty-eight, and Wells Historical Museum, incorporated pursuant to the provisions of said chapter one hundred and eighty of the General Laws, the certificate of incorporation of which is dated December sixth, nineteen hundred and thirty-five, are hereby authorized to consolidate into one corporation under the name of Old Sturbridge, Inc., which shall in all respects be a continuation of each of said existing corporations and which shall have all corporate powers now provided to each of said existing corporations.

SECTION 2. Upon such consolidation, all property, real and personal, of said existing corporations and all devises, bequests, conveyances and gifts heretofore and hereafter made to any of said existing corporations shall vest in said consolidated corporation and otherwise shall be held by said consolidated corporation subject to the same terms, conditions, limitations and trusts as they are now held by said existing corporations or would have been held by said existing corporations but for this act, and the treasurers of said existing corporations are hereby respectively authorized to execute and deliver all papers and documents that may be deemed necessary or proper for the purpose of confirming in the consolidated corporation the record title to the property of the existing corporations.

SECTION 3. Upon such consolidation the members of the existing corporations shall be the members of the consolidated corporation until such time as the consolidated corporation may by an amendment to its by-laws alter its membership and the members of the governing board and officers of the existing Old Sturbridge, Inc. shall be until their successors are chosen and qualified the members of the governing board and officers of the consolidated corporation which shall, except as herein provided, in respect to the initial membership, be governed by the by-laws of said Old Sturbridge, Inc. as the same now are or may hereafter be amended.

SECTION 4. Upon the acceptance of this act within one year after its passage by Old Sturbridge, Inc. and by Wells Historical Museum pursuant to authorization at meetings duly called for the purpose duly certified copies of the respective votes of acceptance shall be filed in the Registry of Deeds, Worcester District, for Worcester County and the consolidation of the corporations shall thereupon be complete.

SECTION 5. Whatever right or authority is granted or conferred by this act is hereby declared to be limited to such authority or right

as the general court may constitutionally grant or confer, without prejudice to any proceeding that may be instituted in any court of competent jurisdiction to effect the purposes of this act.

Approved March 13, 1959.

Chap. 127. AN ACT PROVIDING FOR BI-PARTISAN BOARDS OF REGISTRARS OF VOTERS IN ALL CITIES AND TOWNS IN THE COMMON-WEALTH.

Be it enacted, etc., as follows:

SECTION 1. Section 16 of chapter 51 of the General Laws is hereby repealed.

SECTION 2. Section 15 of said chapter 51, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 1, the words "sections sixteen and" and inserting in place thereof the word:—section.

Approved March 13, 1959.

Chap. 128. AN ACT RELATIVE TO THE INVESTMENT BY INSURANCE COMPANIES IN CONTRACTUAL OBLIGATIONS OF THE UNITED STATES OR OF ANY STATE THEREOF.

Be it enacted, etc., as follows:

Section 63 of chapter 175 of the General Laws is hereby amended by striking out paragraph 1, as appearing in the Terecentenary Edition, and inserting in place thereof the following paragraph:—

1. In the public funds of the United States or of the District of Columbia or of any state of the United States; or in bonds, notes, evidences of indebtedness, or contractual obligations for the payment of money made, issued, assumed or guaranteed by the United States of America or any instrumentality thereof, or by any state of the United States, including, notwithstanding other provisions of this chapter, joint, undivided or participating interests therein pursuant to agreement with the obligor, other investors or a trustee.

Approved March 13, 1959.

Chap. 129. AN ACT AUTHORIZING THE TOWN OF DALTON TO CONSTRUCT AND OPERATE A SYSTEM OF SEWERS AND TO CONTRACT WITH THE CITY OF PITTSFIELD FOR THE USE OF ITS SEWERAGE SYSTEM WHICH SAID CITY IS AUTHORIZED TO EXPAND.

Be it enacted, etc., as follows:

SECTION 1. The town of Dalton may lay out, construct, maintain and operate a system or systems of main drains and common sewers for a part or the whole of its territory, with such connections and other works as may be required for a system of sewage disposal, and may construct such sewers, drains, pumping stations, and force mains in said town as may be necessary. The town may make and maintain, in any way therein where common sewers are constructed, such connecting sewers within the limits of such way as may be necessary to connect any estate which abuts upon the way.

SECTION 2. The town of Dalton may enter into an agreement with the city of Pittsfield for the joint use of the sewerage facilities of the city of Pittsfield to receive and treat the sewage of the town of Dalton. The city of Pittsfield is hereby authorized to construct such additional facilities as may be required therefor and said town shall pay such proportion of the cost of such construction and such annual charges for the transportation and treatment of sewage as shall be mutually agreed upon by the town of Dalton and the city of Pittsfield. If said town or the city of Pittsfield shall be unable to agree as to the proper and just sum or sums which shall be paid by the said town to the city of Pittsfield, either party may petition the supreme judicial court, who shall appoint three commissioners to determine the compensation, subject to the approval of the court. Such compensation may consist of a sum in gross, yearly payments, or a sum in gross and yearly payments to be made to the city of Pittsfield as said commissioners appointed by the court or a majority of them, after acceptance of their findings by the court, shall decide.

SECTION 3. Said town may, at the meeting when this act is accepted, vote that the selectmen shall act as a board of sewer commissioners. If the town does not so vote at said meeting, the town shall elect by ballot, at any town meeting not later than the second annual meeting after the commencement of construction hereunder of a system or systems of sewerage and sewage disposal, a board of three sewer commissioners, who shall be citizens of the town, to hold office, if elected at an annual meeting, one until the expiration of one year, one until the expiration of two years, and one until the expiration of three years, from such annual town meeting, and until their successors are qualified, or, if elected at a special meeting, one until the expiration of one year, one until the expiration of two years, and one until the expiration of three years from the next succeeding annual town meeting, and until their successors are qualified, and thereafter, at each annual town meeting the town shall elect one member of the board to serve for three years and until his successor is qualified. Any selectman shall be eligible to election to said board. In either case, whether the town votes that its selectmen shall act as a board of sewer commissioners, or elects a board of sewer commissioners, the town may at any time thereafter, by any or all the methods permitted by general law, provide for the election of a board of three sewer commissioners, or that the selectmen may act as a board of sewer commissioners, as the case may be.

SECTION 4. Until the board of sewer commissioners has first been elected as provided in this act or the selectmen have first been authorized by vote to act as such board, as the case may be, but not in any event later than the second annual meeting after the commencement of the work of construction authorized hereby, said town may carry on such work by a duly authorized committee of the town. The committee shall serve without pay and shall have all the powers and authority given to the board of sewer commissioners in this act or by general law. Whenever the phrase "said board of sewer commissioners" or "said board" hereinafter occurs, it shall mean and include the board of sewer commissioners, the selectmen acting as such or the committee of the town provided for in this section, as the case may be.

SECTION 5. Said board of sewer commissioners, acting for and on behalf of said town, may take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, any lands, water rights, rights-of-way or easements, public or private, in said town, necessary for accomplishing any purpose mentioned in this act, and may construct such sewers under or over any bridge, railroad, railway, boulevard or other public way, or within the location of any railroad, and may enter upon and dig up any private land, public way or railroad location, for the purpose of laying such sewers and of maintaining and repairing the same, and may do any other thing proper or necessary for the purposes of this act; provided, that they shall not take in fee any land of a railroad corporation, and that they shall not enter upon or construct any sewer within the location of any railroad corporation except at such time and in such manner as they may agree upon with such corporation, or, in case of failure to agree, as may be approved by the department of public utilities.

SECTION 6. Any person injured in his property by any action of said board of sewer commissioners under this act may recover damages from said town under chapter seventy-nine of the General Laws.

SECTION 7. Said town shall, by vote, determine whether it shall pay the whole or a portion of the cost of said system or systems of sewerage and sewage disposal and if a portion, what proportion. If the town votes to pay less than the whole cost, in providing for the payment of the remaining portion of the cost of said system or systems the town may avail itself of any or all of the methods permitted by General Laws, and the provisions of said General Laws relative to the assessment, apportionment, division, reassessment, abatement and collection of sewer assessments, to liens therefor and to interest thereon, shall apply to assessments made under this act, except that interest shall be at the rate of four per cent per annum. At the same meeting at which it determines that any portion of the cost is to be borne by the town, it may by vote determine by which of such methods the remaining portion of said cost shall be provided for. The collector of taxes of said town shall certify the payment or payments of such assessments, or apportionments thereof to the sewer commissioners, or to the selectmen acting as such, who shall preserve a record thereof.

SECTION 8. For the purpose of paying the necessary expenses and liabilities incurred under this act, said town may from time to time, within five years after the passage of this act, borrow such sums as may be necessary, not exceeding, in the aggregate, nine hundred fifty thousand dollars, and may issue bonds or notes therefor which shall bear on their face the words Dalton Sewerage Loan, Act of 1959. Each authorized issue shall constitute a separate loan and such loans shall be payable in not more than thirty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws.

SECTION 9. The receipts from sewer assessments and from payments made in lieu thereof shall be applied to the payment of charges and expenses incident to the maintenance and operation of said system or systems of sewerage and sewage disposal or to the extension thereof, to the payment of interest upon bonds or notes issued for

sewer purposes or to the payment or redemption of such bonds or notes.

SECTION 10. Said board of sewer commissioners may annually appoint a clerk and may appoint a superintendent of sewers who shall not be a member of the board, and shall define their duties. It may remove the clerk or superintendent at its pleasure. Said board may, in its discretion, prescribe for the users of said sewer system or systems such annual rentals or charges based on the benefits derived therefrom as it may deem proper, subject, however, to such rules and regulations as may be fixed by vote of the town.

SECTION 11. All contracts made by the board of sewer commissioners shall be made in the name of the town and shall be signed by the board, but no contract shall be made or obligations incurred by said board for any purpose in excess of the amount of money appropriated therefor by the town.

SECTION 12. The board of sewer commissioners may, from time to time, prescribe rules and regulations for the connection of estates and buildings with sewers, and for inspection of the materials, the construction, alteration and use of all connections entering into such sewers, and may prescribe penalties, not exceeding twenty dollars, for each violation of any such rule or regulation. Such rules and regulations shall be published at least once a week for three successive weeks in some newspaper published in the town if there be any, and if not, then in some newspaper published in Pittsfield, and shall not take effect until such publications have been made.

SECTION 13. For the purposes of this act the city of Pittsfield may, from time to time, within five years after the passage of this act, borrow such sums as may be necessary, not exceeding in the aggregate five million dollars, and may issue bonds or notes therefor which shall bear on the face thereof the words Pittsfield Sewerage Loan, Act of 1959. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than thirty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws.

The city council of said city shall, by vote, determine what proportion said city shall pay of the cost of the construction, maintenance and operation of that portion of such sewerage works constructed within the limits of said city. If the city votes to pay less than the whole cost, in providing for the payment of the remaining portion of the cost of said works the city may avail itself of any or all of the methods permitted by the General Laws, and the provisions of the said General Laws relative to the assessment, apportionment, division, reassessment, abatement and collection of sewer assessments, to liens therefor and to interest thereon, shall apply to assessments made under this act, except that interest shall be at the rate of four per cent per annum. Notwithstanding the provisions of section twenty-three of chapter eighty-three of the General Laws, the city may assess any part or all of the cost of common sewers as a betterment assessment against the abutting properties. At the same meeting at which the city council determines the proportion of the cost which is to be borne by the city, or at a subsequent meeting, it shall by vote determine by which of such methods the remaining portion of said cost shall be

provided. The collector of taxes of said city shall certify the payments of such assessments or apportionments thereof to the department of public works of said city, which shall preserve a record thereof.

SECTION 14. No act shall be done under authority of the preceding sections except in the making of surveys and other preliminary investigations, until the plan for said system or systems of sewerage and sewage disposal has been approved by the state department of public health.

SECTION 15. This act shall take full effect upon its acceptance by a majority of the voters of the said town of Dalton voting thereon at an annual town meeting or a special town meeting called for the purpose within four years after its passage, and by acceptance by the city council of Pittsfield within four years of its passage. No expenditure shall be made and no liability incurred hereunder until such acceptance.

Approved March 13, 1959.

Chap. 130. AN ACT AUTHORIZING MEDICAL SERVICE CORPORATIONS TO CONTRACT AND PAY FOR CERTAIN MEDICAL AND SURGICAL SERVICES OF CHIROPODISTS.

Be it enacted, etc., as follows:

Chapter 176B of the General Laws is hereby amended by striking out section 4, as amended by chapter 472 of the acts of 1950, and inserting in place thereof the following section:—*Section 4.* Any medical service corporation may enter into contracts with its subscribers and with participating physicians, dentists and chiropodists (podiatrists), licensed under the laws of the commonwealth for such medical and surgical services as may lawfully be rendered by them to the subscribers and may pay for such services. A contract with a subscriber may provide for the medical and surgical care of any dependents of the subscriber named therein. The form of subscription certificate and of agreement with participating physicians, dentists and chiropodists (podiatrists), the rates charged by such corporation to the subscribers and the rates at which participating physicians, dentists and chiropodists (podiatrists) are compensated for their services to the subscribers or to covered dependents, shall at all times be subject to the written approval of the commissioner. Acquisition costs in connection with the solicitation of subscribers and costs of administration shall at all times be limited to such amounts as the commissioner shall approve.

Approved March 13, 1959.

Chap. 131. AN ACT RELATIVE TO CERTAIN FUNDS OF PATIENTS NOW OR FORMERLY IN INSTITUTIONS UNDER THE SUPERVISION AND CONTROL OF THE DEPARTMENT OF PUBLIC HEALTH.

Be it enacted, etc., as follows:

Chapter 111 of the General Laws is hereby amended by inserting after section 65B the following sections:—*Section 65C.* The superintendent of any institution under the supervision and control of the

department may deposit in any bank or trust company within the commonwealth or on paid-up shares and accounts of and in co-operative banks, funds belonging to individual patients and funds deposited by their relatives or friends to be used for their benefit, or may use said funds to purchase share accounts of a federal savings and loan association located in the commonwealth, in an account entitled "Patients' Funds", or the superintendent may, whenever he deems it desirable, deposit such funds in such banks in separate accounts as trustee or use said funds to purchase share accounts of a federal savings and loan association located in the commonwealth, as trustee, in each instance, for the patient.

Section 65D. So much of any funds known as "Patients' Funds" as represents monies belonging to, or deposited for the benefit of, former patients of any such institution, which shall have remained unclaimed for more than seven years, shall be paid by the superintendent thereof to the state treasurer to be held subject to be paid to the person establishing a lawful right thereto, with interest at the rate of three per cent per annum from the time when it was so paid to the state treasurer to the time when it is paid by him to such person; provided, that so much of any monies so paid to the state treasurer as may be necessary to reimburse the institution for any sum due for the support of the person by whom or for whose benefit such money was originally deposited shall be credited to said trustees for that purpose. After six years from the date when any such monies were paid to the state treasurer the same or any balance thereof then remaining in his hands may be used as a part of the ordinary revenue of the commonwealth. Any person may, however, establish his claim after the expiration of the six years above mentioned, and any claim so established shall be paid from the ordinary revenue of the commonwealth. Any person claiming a right to money deposited with the state treasurer under this section may establish the same by a petition to the probate court; provided, that in cases where claims amount to less than fifty dollars, the claims may be presented to the comptroller, who shall examine the same and allow and certify for payment such as may be proved to his satisfaction. *Approved March 13, 1959.*

Chap. 132. AN ACT AUTHORIZING THE BUILDING AND MAINTENANCE OF A RADIO BROADCASTING SYSTEM IN THE COUNTY OF ESSEX TO AID IN FIRE PROTECTION.

Be it enacted, etc., as follows:

SECTION 1. Subject to appropriation, the county commissioners of Essex county are hereby authorized to expend such sums as may be necessary, not exceeding four thousand dollars, for the establishment of a radio broadcasting system to aid in the fire protection of said Essex county. Said radio broadcasting system, other than the transmittal tower, shall be installed at the fire alarm headquarters at 17 Hamilton avenue in Haverhill. The transmittal tower shall be located in such area in Essex county as the county commissioners and Fire Chiefs Association of said county may designate.

SECTION 2. Said broadcasting system shall be administered and

operated by the fire-fighting personnel of the city of Haverhill and the cost of their services shall be borne by said city.

SECTION 3. Said county commissioners are hereby authorized to expend such other sums as may be necessary, subject to appropriation, for the maintenance and operation of the aforesaid radio broadcasting system other than personnel, and said expenses shall be assessed and collected against the cities and towns of said county in the manner provided by law for the assessment and collection of the county tax.

SECTION 4. Notwithstanding the provisions of section one of this act, no expenditure of funds by the county of Essex for the purpose of this act shall be made unless prior approval of the said project is first obtained from the office of defense and civilian mobilization.

SECTION 5. This act shall take effect upon its passage.

Approved March 13, 1959.

Chap. 133. AN ACT PROVIDING FOR A BI-PARTISAN COUNT OF BALLOTS AT STATE ELECTIONS IN TOWNS NOT DIVIDED INTO VOTING PRECINCTS.

Be it enacted, etc., as follows:

The first paragraph of section 105 of chapter 54 of the General Laws is hereby amended by striking out the last sentence, as appearing in the Tercentenary Edition.

Approved March 13, 1959.

Chap. 134. AN ACT AUTHORIZING THE BUILDING AND MAINTENANCE OF A RADIO BROADCASTING SYSTEM IN THE COUNTY OF WORCESTER TO AID IN FIRE PROTECTION.

Be it enacted, etc., as follows:

SECTION 1. Subject to appropriation, the county commissioners of Worcester county are hereby authorized to expend such sums as may be necessary, not exceeding four thousand dollars, for the establishment of a radio broadcasting system to aid in the fire protection of said Worcester county. Said radio broadcasting system and the transmittal tower shall be installed and located in such area and in such building in the city of Fitchburg as the councillors of said city may designate.

SECTION 2. Said broadcasting system shall be administered and operated by the fire-fighting personnel of the city of Fitchburg and the cost of their services shall be borne by said city.

SECTION 3. Said county commissioners are hereby authorized to expend such other sums as may be necessary, subject to appropriation, for the maintenance and operation of the aforesaid radio broadcasting system other than personnel, and said expenses shall be assessed and collected against the cities and towns of said county in the manner provided by law for the assessment and collection of the county tax.

SECTION 4. Notwithstanding the provisions of section one of this act, no expenditure of funds by the county of Worcester for the purposes of this act shall be made unless prior approval of the said

project is first obtained of the office of defense and civilian mobilization.

SECTION 5. This act shall take effect upon its passage.

Approved March 20, 1959.

Chap. 135. AN ACT REPEALING THE LAW PROVIDING FOR THE ESTABLISHMENT OF REPRESENTATIVE TOWN GOVERNMENT BY LIMITED TOWN MEETINGS IN THE TOWN OF PALMER.

Be it enacted, etc., as follows:

Notwithstanding the provisions of section twelve of chapter forty-three A of the General Laws, chapter one hundred and sixty-seven of the acts of nineteen hundred and fifty-seven is hereby repealed.

Approved March 20, 1959.

Chap. 136. AN ACT EXTENDING THE APPLICATION OF CERTAIN PROVISIONS OF THE SMALL LOANS LAW TO ANY PROCEEDING THEREUNDER.

Be it enacted, etc., as follows:

SECTION 1. Section 96 of chapter 140 of the General Laws is hereby amended by striking out, in lines 25 and 26, as appearing in section 1 of chapter 158 of the acts of 1941, the words "In prosecutions under" and inserting in place thereof the words:—For the purposes of.

SECTION 2. Section 110 of said chapter 140 is hereby amended by striking out, in line 11, as appearing in the Tercentenary Edition, the word "prosecutions" and inserting in place thereof the words:—any judicial proceeding.

Approved March 20, 1959.

Chap. 137. AN ACT PROVIDING THAT STREET LISTS SHALL DESIGNATE PERSONS WHO ARE REGISTERED VOTERS.

Be it enacted, etc., as follows:

Section 7 of chapter 51 of the General Laws, as most recently amended by section 2 of chapter 67 of the acts of 1955, is hereby further amended by adding the following sentence:—Every person so listed shall, if he is a registered voter, be so designated by an asterisk or other symbol.

Approved March 20, 1959.

Chap. 138. AN ACT ESTABLISHING A PARK AND RECREATION DEPARTMENT IN THE TOWN OF READING.

Be it enacted, etc., as follows:

SECTION 1. Chapter 44 of the acts of 1959 is hereby repealed.

SECTION 2. There is hereby established in the town of Reading a park and recreation department to be under the jurisdiction of a commission consisting of five members, hereinafter to be known as commissioners.

SECTION 3. Said commissioners shall be elected at the annual town election in the year nineteen hundred and sixty at which time two commissioners shall be elected for terms of one year, two commissioners shall be elected for terms of two years, and one commissioner shall be elected for a term of three years. Thereafter at each annual town election their successors shall be elected for terms of three years. All commissioners shall hold office until their respective successors are elected and qualified.

SECTION 4. Said park and recreation department shall have jurisdiction and maintenance of all park and of all public and school recreation areas within the town and over the recreation program of the town, excepting those programs under the jurisdiction of the school department.

SECTION 5. Notwithstanding the provisions of chapter one hundred and eighteen of the acts of nineteen hundred and twenty-one and any other general or special law, said department shall have all the rights, powers and liabilities vested in a board of park commissioners under chapter forty-five of the General Laws.

SECTION 6. Section one shall take effect upon the passage of this act and sections two to five, inclusive, shall take effect upon acceptance by a majority vote of the town meeting members of the town of Reading present and voting thereon at a special town meeting called for the purpose in the eurrent year.

Approved March 20, 1959.

Chap. 139. AN ACT RELATIVE TO THE PAYMENT OF THE COST OF CONSTRUCTION OF PARTICULAR SEWERS AND CONNECTING DRAINS IN THE TOWN OF WELLESLEY.

Be it enacted, etc., as follows:

SECTION 1. The town of Wellesley, through its board of public works, acting as the sewer commissioners of said town, or any other board or commission hereafter acting as such commissioners may, upon the application of the owner of any estate abutting on any way where a main drain or common sewer is constructed, lay in such sewered way and in the private land of such owner such particular sewer or connecting drain as may be necessary to connect any building on such estate with such main drain or sewer, and said board or commission may make all necessary contracts in the name and behalf of the town for such purpose. The expenses thereof shall be paid out of any appropriation that may be made by the town therefor.

SECTION 2. The cost of constructing each particular sewer or connecting drain shall at the election of said board or commission be collected from the owner of the estate who applied for the same or be assessed upon the estate benefited thereby. Such election shall be made within thirty days after the construction has been completed.

SECTION 3. Within a reasonable time after its determination to make such an assessment upon an estate benefited by a particular sewer or connecting drain the board or commission shall file with the assessors of the town a certificate specifying the way and the private land in which the particular sewer or connecting drain has been con-

structed, designating as the owner of the estate for which such connection has been made the person who was liable for the assessment therefor on the preceding January first under the provisions of chapter fifty-nine of the General Laws and stating the amount of the assessment. A copy or duplicate of such certificate shall, within ten days after the filing of the certificate with the assessors, be recorded in the registry of deeds for the county of Norfolk or, in the case of registered land, filed for registration in the office of the registry district for said county.

Upon receipt of such certificate the assessors shall forthwith commit the assessment with their warrant to the collector of taxes of the town. The collector of taxes shall, upon receipt of such warrant, send by mail a notice of such assessment to the owner designated in the certificate filed with the assessors, said notice to be mailed to the last known address of said owner.

Every owner of an estate upon which such an assessment is made shall within three months after notice thereof is so served upon him pay the collector of taxes the sum so assessed or request apportionment thereof as hereinafter provided.

SECTION 4. Except as herein provided, the provisions of general law relative to the assessment, apportionment, division, reassessment, abatement and collection of sewer assessments, to liens therefor and to interest thereon shall apply to assessments made under this act. In applying said provisions to assessments made under this act, the notice from the collector of taxes required by section three shall be deemed to be a demand from him for payment of the assessment. The lien for any assessment made under this act shall attach upon the recording or filing for registration of the copy or duplicate of the certificate of assessment. In the apportionment of assessments made under this act, no installment shall be less than ten dollars.

SECTION 5. This act shall take effect upon its acceptance by a majority of the town meeting members of the town of Wellesley present and voting thereon at a meeting legally called for the purpose.

Approved March 20, 1959.

Chap. 140. AN ACT DESIGNATING THE YOUTH FORESTRY CAMP IN THE TOWN OF BREWSTER AS THE STEPHEN L. FRENCH YOUTH FORESTRY CAMP.

Be it enacted, etc., as follows:

SECTION 1. The youth forestry camp established by the division of youth service in the town of Brewster is hereby designated as the Stephen L. French Youth Forestry Camp. Said division shall erect suitable markers or plaques bearing such designation at such camp.

SECTION 2. This act shall take effect upon its passage.

Approved March 30, 1959.

Chap. 141. AN ACT PROVIDING THAT A CERTAIN AGENT APPOINTED BY A BOARD OF SELECTMEN ACTING AS A BOARD OF PUBLIC WELFARE SHALL HAVE THE TITLE OF DIRECTOR OF PUBLIC WELFARE.

Be it enacted, etc., as follows:

SECTION 1. Section 32 of chapter 41 of the General Laws, as amended by section 3 of chapter 793 of the acts of 1950, is hereby further amended by inserting after the word "who", in line 4, the words:—under the title of director of public welfare.

SECTION 2. The first sentence of section 2 of chapter 118B of the General Laws, as appearing in section 3 of chapter 353 of the acts of 1952, is hereby amended by inserting after the word "administrator", in line 7, the words:—, who shall exercise his powers and perform his duties under the title of director of public assistance, .

Approved March 30, 1959.

Chap. 142. AN ACT PROVIDING TENURE OF OFFICE UNTIL AGE SEVENTY FOR EDWARD J. ZIEMBA, INCUMBENT OF THE OFFICE OF CITY TREASURER OF THE CITY OF CHICOPEE.

Be it enacted, etc., as follows:

SECTION 1. Edward J. Ziemba, incumbent of the office of city treasurer of the city of Chicopee shall hold said office during good behavior until he reaches age seventy, unless incapacitated by physical or mental disability from performing the duties thereof, but may be removed therefrom for cause after hearing in the manner provided by section forty-three of chapter thirty-one of the General Laws.

SECTION 2. This act shall be submitted for acceptance to the registered voters of the city of Chicopee at its regular city election in the current year in the form of the following question, which shall be placed on the official ballot to be used at said election:—"Shall an act passed by the General Court in the current year, entitled 'An Act providing tenure of office until age seventy for Edward J. Ziemba, incumbent of the office of city treasurer of the city of Chicopee', be accepted?" If a majority of votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise.

Approved March 30, 1959.

Chap. 143. AN ACT PROVIDING FOR FILLING VACANCIES IN TOWN PLANNING BOARDS BY APPOINTMENT WHEN THE BOARD ITSELF IS APPOINTED.

Be it enacted, etc., as follows:

Section 81A of chapter 41 of the General Laws is hereby amended by striking out the seventh sentence, as appearing in section 4 of chapter 340 of the acts of 1947, and inserting in place thereof the following sentence:—A vacancy occurring otherwise than by expiration of term shall be filled for the unexpired term, in a city, in the same manner as

an original appointment, and, in a town, if the members of the board are appointed, in the same manner as an original appointment and, if they are elected, in the manner provided in section eleven.

Approved March 30, 1959.

Chap. 144. AN ACT PROVIDING THAT CERTAIN COPIES OF PLANNING BOARD RULES AND REGULATIONS BE CERTIFIED BY THE CITY OR TOWN CLERK.

Be it enacted, etc., as follows:

Section 81N of chapter 41 of the General Laws is hereby amended by striking out the last sentence, as amended by chapter 146 of the acts of 1957, and inserting in place thereof the following sentence:— The subdivision control law, however, shall not become effective in any city or town in which it was not in effect on the first day of January, nineteen hundred and fifty-four, until the planning board of such city or town shall have notified the register of deeds and the recorder of the land court that the city or town has accepted the provisions of the subdivision control law and that the planning board has adopted its rules and regulations as provided in section eighty-one Q and shall have furnished the said register and recorder with a copy of the vote of the city council or town meeting under which the provisions of the subdivision control law were accepted in such city or town, certified by the city or town clerk, and a copy of such rules and regulations certified by said clerk.

Approved March 30, 1959.

Chap. 145. AN ACT PROVIDING TENURE OF OFFICE UNTIL AGE SEVENTY FOR JOHN D. CASEY, INCUMBENT OF THE OFFICE OF CITY COLLECTOR OF THE CITY OF CHICOPEE.

Be it enacted, etc., as follows:

SECTION 1. John D. Casey, incumbent of the office of city collector of the city of Chicopee shall hold said office during good behavior until he reaches age seventy, unless incapacitated by physical or mental disability from performing the duties thereof, but may be removed therefrom for cause after hearing in the manner provided by section forty-three of chapter thirty-one of the General Laws.

SECTION 2. This act shall be submitted for acceptance to the registered voters of the city of Chicopee at its regular city election in the current year in the form of the following question, which shall be placed on the official ballot to be used at said election:—"Shall an act passed by the General Court in the current year, entitled 'An Act providing tenure of office until age seventy for John D. Casey, incumbent of the office of city collector of the city of Chicopee', be accepted?" If a majority of votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise.

Approved March 30, 1959.

Chap. 146. AN ACT RELATIVE TO CORRECTIONS OF RECORDS OF BIRTH TO CONFORM TO DECREES OF ADOPTION GRANTED BY OTHER STATES OR COUNTRIES.

Be it enacted, etc., as follows:

Section 13 of chapter 46 of the General Laws is hereby amended by striking out the fourth paragraph, as amended by section 3 of chapter 107 of the acts of 1955, and inserting in place thereof the following paragraph:—

If a person shall have been adopted by judicial decree or a person so adopted has had his name legally changed at a later date to that of his adoptive parents, or if a person of illegitimate birth shall have acquired a new name by judicial decree, the clerk of the town where such person was born shall receive the certificate of such adoption issued under authority of section six A of chapter two hundred and ten or a certified copy of the decree for such adoption or change of name, whether issued by the probate court of the commonwealth or by the appropriate court of any other state or country. Said clerk shall forthwith, after receiving such certificate of adoption or any such certified copy of a decree of adoption, notify the adopting parents, or parent, of the receipt thereof and, upon payment to him of the fees prescribed by section thirty-four of chapter two hundred and sixty-two, he shall correct the record of birth of the person so adopted in the manner hereinafter provided and furnish to such parents, or parent, a certified copy of such record, as so corrected; provided, that if the certificate of adoption or the certified copy of decree of adoption does not indicate the desire of the adopting parents, or parent, to have the record of birth of the person adopted corrected, or does not contain the original name and date and place of birth of the person adopted, or does not contain the facts relative to the adopting parents, or parent, hereinafter required for correcting such record, the clerk shall not correct such record until he has received an affidavit, signed and sworn to by the adopting parents, or parent, containing such facts.

Approved March 30, 1959.

Chap. 147. AN ACT TO RESCIND THE ACTION OF THE TOWN OF NORTON PLACING ITS INTERMITTENT PATROLMEN UNDER THE CIVIL SERVICE LAWS.

Be it enacted, etc., as follows:

SECTION 1. The action of the town of Norton at the annual town election of March tenth, nineteen hundred and fifty-eight, in voting to accept the provisions of section forty-eight of chapter thirty-one of the General Laws to place the regular members of the Norton police force within the civil service laws is hereby rescinded, in so far as it applies to the position of intermittent patrolmen. All full-time positions of patrolmen shall be filled in accordance with the civil service laws and rules and shall not be filled by the assignment of intermittent patrolmen.

SECTION 2. This act shall be submitted to the voters of said town at the annual town meeting in the year nineteen hundred and fifty-

nine in the form of the following question, which shall be placed upon the official ballot to be used for the election of town officers at said meeting:—"Shall an act passed by the General Court in the year nineteen hundred and fifty-nine, entitled 'An Act to rescind the action of the town of Norton placing its intermittent patrolmen under the civil service laws', be accepted?" If a majority of the votes cast in answer to said question is in the affirmative, this act shall take full effect, but not otherwise.

SECTION 3. Any action taken by the town of Norton at its annual town meeting in the current year pursuant to the authority contained in section one shall be as valid and effective as if this act had the force of a law at the time the warrant for such annual meeting was posted.

Approved March 30, 1959.

Chap. 148. AN ACT AUTHORIZING THE TOWN OF ATHOL TO REIMBURSE EDMUND L. BRUNO FOR CERTAIN MEDICAL AND HOSPITAL EXPENSES.

Be it enacted, etc., as follows:

SECTION 1. The town of Athol is hereby authorized to pay the sum of twenty-three hundred and eighty-two dollars and eighty-five cents to Edmund L. Bruno as reimbursement for medical and hospital expenses incurred by him as a result of an injury sustained on or about October twentieth, nineteen hundred and fifty-seven, while officially engaged in perambulating the town lines.

SECTION 2. Any action taken by the town of Athol at its annual town meeting in the current year pursuant to authority contained in section one is hereby confirmed and validated as though this act were in effect at the time of the posting of the warrant for said annual town meeting.

Approved March 30, 1959.

Chap. 149. AN ACT MAKING CERTAIN INTESTATE ESTATES OF MEMBERS IN SOLDIERS' HOMES INURE TO THE BENEFIT OF THE LEGACY ACCOUNT OF SAID HOMES.

Be it enacted, etc., as follows:

Clause (7) of section 3 of chapter 190 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "commonwealth", in line 2, the words:— ; provided, however, if such intestate is a veteran who died while a member of the Soldiers' Home in Massachusetts or the Soldiers' Home in Holyoke, his estate shall inure to the benefit of the legacy fund or legacy account of the soldiers' home of which he was a member.

Approved March 30, 1959.

Chap. 150. AN ACT FURTHER REGULATING THE CATCHING OR TAKING OF LOBSTERS AND EDIBLE CRABS IN COASTAL WATERS.

Be it enacted, etc., as follows:

Section 39 of chapter 130 of the General Laws, as appearing in section 1 of chapter 598 of the acts of 1941, is hereby amended by

inserting after the word "trap", in line 3, the words:—, or catch or take lobsters or edible crabs from the coastal waters by any means,—so as to read as follows:—*Section 39.* No person shall tend, lift, raise or draw a lobster or crab pot or trap, or take lobsters or edible crabs from such a pot or trap, or catch or take lobsters or edible crabs from the coastal waters by any means, except during the period from one half hour before sunrise until one half hour after sunset, except that traps may be taken up by the owner or by his employee or agent, if licensed under section thirty-eight, at any time when they are endangered by storms, and except that the director, a coastal warden or deputy may at any time lift, raise or draw such pot or trap with its contents, if any, for the purpose of inspection provided in this chapter. Violation of the provisions of this section shall be punished by a fine of not less than ten nor more than fifty dollars.

Approved March 30, 1959.

Chap. 151. AN ACT FURTHER RESTRICTING THE POSSESSION OF SHORT LOBSTERS.

Be it enacted, etc., as follows:

Section 44 of chapter 130 of the General Laws, as most recently amended by chapter 156 of the acts of 1953, is hereby further amended by inserting after the word "for", the first time it appears in line 3, the word:—immediate,—so as to read as follows:—*Section 44.* Whoever sells, or offers for sale, or has in possession for a period longer than is necessary for immediate measuring, or for any purpose other than legally disposing of same, a lobster measuring less than three and three sixteenths inches in length, alive or dead, cooked or uncooked, measured from the rear of the eye socket along a line parallel to the center line of the body shell to the rear end of the body shell, shall be punished by a fine of not less than five nor more than ten dollars for every such lobster, and such lobster shall be seized and forfeited, and shall be disposed of by the director to the best interests of the commonwealth. If the measurement of any such lobster taken from one or the other eye sockets is of the required length, such lobster shall be deemed to be a legal lobster. In all prosecutions under this section any mutilation of any lobster which affects its measurement as aforesaid shall be prima facie evidence that the lobster was or is less than the required length. This section shall not apply to common carriers having lobsters in possession for the purpose of transportation.

Approved March 30, 1959.

Chap. 152. AN ACT ESTABLISHING CERTAIN CHARGES AND FEES FOR THE COLLECTION OF POLL TAXES.

Be it enacted, etc., as follows:

Chapter 60 of the General Laws is hereby amended by striking out section 15A, as amended by chapter 386 of the acts of 1948, and inserting in place thereof the following section:—*Section 15A.* For the

collection of a delinquent poll tax, the following interest, charges and fees, and no others shall be added to said poll tax and collected as a part thereof:

1. Interest, as provided by law, which shall be paid into the town treasury.

2. For each written demand provided for by law, thirty-five cents, which shall be paid into the town treasury.

3. For the issuance and delivery of a warrant to an officer, fifty cents, which shall be paid into the town treasury.

4. For the notice to the delinquent that a warrant has been issued, one dollar, which shall be retained by the officer having the warrant for service.

5. For exhibiting a warrant or delivering a copy thereof to the delinquent or his representative, or leaving it at his last and usual place of abode or of business, before and without distraint or arrest, three dollars, which shall be retained by the officer having the warrant for service.

6. For arresting the body, two dollars, which shall be retained by the officer having the warrant for service.

7. For custody of the body arrested, if payment of the delinquent tax is not made forthwith, three dollars, which shall be retained by the officer having the warrant for service.

Any officer having a warrant who attempts to collect or collects more than the above interest, charges and fees in the collection of a delinquent poll tax shall be punished by a fine not exceeding one hundred dollars or by imprisonment not exceeding one month, or both.

Approved March 30, 1959.

Chap. 153. AN ACT RELATIVE TO THE TAKING, POSSESSION, MARKING AND DISPOSITION OF EGG-BEARING LOBSTERS.

Be it enacted, etc., as follows:

Chapter 130 of the General Laws is hereby amended by striking out section 43, as most recently amended by section 3 of chapter 566 of the acts of 1949, and inserting in place thereof the following section:—

Section 43. Between March first and October thirty-first, both dates inclusive, in any year, the director may authorize the taking or possession of egg-bearing lobsters by any person licensed under section thirty-eight to catch or take lobsters and edible crabs, upon the condition that such egg-bearing lobsters shall be taken, held or delivered in accordance with the instructions of the director to a plant for the propagation of lobsters established and maintained for rearing them from the time of hatching to the bottom crawling stages or for such other disposition as the director may deem for the best interests of the commonwealth. Before any such egg-bearing lobster is disposed of by liberating, it shall be marked by the director or his authorized agent by punching a single V notch in either of the flippers next to the middle flipper of its tail. Any licensed lobster fisherman may mark, as above provided, any lobster bearing eggs found in his traps, before returning such lobster alive to the waters from which it was taken.

Any person having possession of any lobster so marked or of any lobster mutilated in such manner as to hide or obliterate such mark, shall be punished by a fine of not less than fifty nor more than two hundred dollars or by imprisonment for not more than thirty days, or both; but any person catching any lobster so marked or mutilated and immediately returning the same to the waters from which taken shall not be deemed to have violated the foregoing provisions of this section. If the eggs from the lobsters so obtained shall be hatched the young therefrom shall be reared to the bottom crawling stages. Lobsters from which eggs have been so hatched, and the young lobsters so reared, shall be liberated, as nearly as possible, in the areas from which such egg-bearing lobsters were obtained and in the same proportion. Nothing in this section shall be so construed as to prevent the director from otherwise disposing of lobsters from which eggs have been so removed, or young lobsters so reared, when in the opinion of the director by so doing depleted or non-productive areas may be benefited.

Approved March 30, 1959.

Chap. 154. AN ACT AUTHORIZING THE EAST PARISH IN SALISBURY TO PURCHASE OR ERECT CERTAIN BUILDINGS AND TO PROVIDE FOR THE FINANCING AND RENTING THEREOF.

Be it enacted, etc., as follows:

The East Parish in Salisbury is hereby authorized to purchase buildings now standing upon its lands and to erect buildings upon its lands for the purpose of renting or leasing such buildings; to borrow money necessary for the purchase and erection of such buildings; and to issue notes, and execute and deliver mortgages securing the payment of said notes: provided, the Parish so votes at any regular meeting called for that purpose, and provided, further, that the net income from the renting or leasing of such buildings shall be expended solely for the support of preaching and other religious activities of the church of said East Parish.

Approved March 30, 1959.

Chap. 155. AN ACT TO PROVIDE FOR A COMPLETE COUNT OF ALL BALLOTS USED OR UNUSED IN ELECTIONS AND RECOUNTS.

Be it enacted, etc., as follows:

SECTION 1. Section 105 of chapter 54 of the General Laws is hereby amended by striking out the first paragraph, as most recently amended by chapter 133 of the acts of 1959, and inserting in place thereof the following paragraph:—If the state ballot box is used, the clerk shall, as soon as the polls are closed, record the total number of ballots received at the polling place, the ballot box register, and the total number of spoiled ballots. The election officers shall then publicly and in the presence of the other election officers audibly and distinctly count and announce the number of names checked on each list and the clerk shall record the same. The ballot box shall then be opened by the presiding officer and the ballots taken therefrom and audibly counted in public view, one by one, and the whole number of the ballots cast

shall be publicly announced by him. The ballots may be divided into convenient packages, and each block or package shall be canvassed and counted by two election officers representing the two leading political parties, detailed by the presiding officer. Each election officer, in so canvassing and counting votes, shall be under the inspection of an election officer of a different political party. The result of the canvas and count shall be reported to the presiding officer, who shall cause it to be correctly recorded on the blank forms provided therefor. When absent voting ballots have been cast, the clerk shall amend the ballot box register and the number of names checked on the voting list to include the absent voting ballots deposited in the ballot box under the provisions of section ninety-five. Immediately thereafter, the election officers shall proceed to count audibly all unused ballots, and the total number of unused ballots shall be publicly announced by the presiding officer who shall cause this information to be correctly recorded on blank forms provided therefor.

SECTION 2. The fifth paragraph of section 135 of said chapter 54, as appearing in chapter 417 of the acts of 1943, is hereby amended by adding after the word "recounted", in line 7, the words:—and all spoiled and unused ballots shall also be counted and the results recorded on the blank forms provided therefor.

Approved March 30, 1959.

Chap. 156. AN ACT AUTHORIZING THE CITY OF FITCHBURG TO SUPPLY AND SELL WATER FOR THE USE OF THE OWNER OR OCCUPANT OF A CERTAIN PARCEL OF LAND IN THE TOWN OF LUNENBURG.

Be it enacted, etc., as follows:

SECTION 1. The city of Fitchburg is hereby authorized to supply and sell water to the owner or occupant of a certain parcel of land in the town of Lunenburg situated within an area in the extreme westerly part of said town, on the northerly side of Charlton street, said area being more particularly shown as that part of Lot 27 in said town shown on a Plan recorded in Worcester Northern District Registry of Deeds, Book 99, Page 9.

SECTION 2. This act shall take effect upon its acceptance by the city council of the city of Fitchburg, in accordance with the provisions of its charter, but not otherwise.

Approved March 30, 1959.

Chap. 157. AN ACT AUTHORIZING THE LEOMINSTER FIREFIGHTERS RELIEF ASSOCIATION TO PAY A SUM OF MONEY TO CARL TYLER, A RETIRED MEMBER OF THE LEOMINSTER FIRE DEPARTMENT.

Be it enacted, etc., as follows:

Notwithstanding any provisions of law to the contrary, the Leominster Firefighters Relief Association is hereby authorized to pay the sum of three hundred and fifty dollars from the funds of said association to Carl Tyler, a former member of said association and a retired member of the Leominster fire department.

Approved March 30, 1959.

Chap. 158. AN ACT FURTHER REGULATING PERSONAL LOANS BY CREDIT UNIONS.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of subdivision (A) of section 24 of chapter 171 of the General Laws, as appearing in chapter 117 of the acts of 1951, is hereby amended by striking out, in line 1, the word "twenty-four" and inserting in place thereof the word:—thirty,—so as to read as follows:—Each personal loan shall be payable within thirty months from the date thereof and shall be paid or renewed on or before such date.

SECTION 2. The second paragraph of said subdivision (A) of said section 24 of said chapter 171 is hereby further amended by striking out lines 1 to 7, inclusive, as appearing in chapter 133 of the acts of 1958, and inserting in place thereof the following:—The maximum amount of credit to be extended to a member in excess of the shares and deposits of the maker, and co-maker if any, pledged to secure the same, shall be limited as follows, except that where a loan is secured by satisfactory collateral additional credit may be extended under the provisions of paragraphs 1, 2 or 3 provided that such additional loan or loans shall not in the aggregate exceed one thousand dollars at any one time:—

Approved March 30, 1959.

Chap. 159. AN ACT INCREASING THE AMOUNT WHICH THE TRUSTEES OF THE BRISTOL COUNTY AGRICULTURAL SCHOOL MAY BORROW FOR THE PURPOSE OF ERECTING AND EQUIPPING A NEW DORMITORY-DINING HALL BUILDING.

Be it enacted, etc., as follows:

Chapter 248 of the acts of 1958 is hereby amended by striking out sections 1 and 2 and inserting in place thereof the following two sections:—*Section 1.* The trustees of the Bristol County Agricultural School may expend a sum, not exceeding four hundred and twenty-seven thousand, four hundred and sixty dollars, to erect and equip a new dormitory-dining hall building providing dining room accommodations for one hundred and eighty-five students to replace the present structure.

Section 2. To provide funds for erecting and equipping the building hereinbefore authorized, the treasurer of the county of Bristol may borrow from time to time on the credit of the county, with the approval of the county commissioners of said county, such sums, not exceeding, in the aggregate, four hundred and twenty-seven thousand, four hundred and sixty dollars, as may be necessary, and may issue bonds or notes therefor, which shall bear on their face the words, Bristol County Agricultural School Loan, Act of 1958. Each authorized issue shall constitute a separate loan. Such bonds or notes shall be payable in such annual payments, beginning not more than one year from the date thereof, as will extinguish each loan in not more than twenty years from their dates, and so that the amount of such annual payment in any year shall not be less than the amount of the

principal of the loan payable in any subsequent year. Such bonds or notes shall be signed by the treasurer of the county and countersigned by a majority of said county commissioners. The county may sell said securities at public or private sale upon such terms and conditions as said county commissioners may deem proper, but not for less than their par value. Indebtedness incurred under this act shall, except as herein provided, be subject to chapter thirty-five of the General Laws.

Approved March 30, 1959.

Chap. 160. AN ACT IMPOSING PENALTIES FOR THE CONCEALMENT AND THEFT OF TRAILERS AND FOR CERTAIN OTHER VIOLATIONS RELATIVE THERETO.

Be it enacted, etc., as follows:

SECTION 1. Chapter 266 of the General Laws is hereby amended by striking out section 27A, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:—*Section 27A.* Whoever, with intent to defraud the insurer, removes or conceals a motor vehicle or trailer belonging to himself or another which is at the time insured against theft, or whoever, with intent as aforesaid, aids or abets in such removal or concealment, shall be punished by imprisonment in the state prison for not more than five years or by imprisonment in jail or house of correction for not less than one year.

SECTION 2. Said chapter 266 is hereby further amended by striking out section 28, as so appearing, and inserting in place thereof the following section:—*Section 28.* Whoever steals a motor vehicle or trailer, or receives or buys a motor vehicle or trailer knowing the same to have been stolen, or conceals any motor vehicle or trailer knowing him to be such, or conceals any motor vehicle or trailer knowing the same to have been stolen, or takes a motor vehicle or trailer without the authority of the owner and steals from it any of its parts or accessories, or without the authority of the owner operates a motor vehicle after his right to operate without a license has been suspended or after his license to operate has been suspended or revoked and prior to the restoration of such right or license to operate or to the issuance to him of a new license to operate, shall be punished by imprisonment in the state prison for not more than ten years or by imprisonment in jail or house of correction for not more than two and one half years.

Approved March 30, 1959.

Chap. 161. AN ACT CLARIFYING THE LAW WITH RESPECT TO GARAGES FOR CERTAIN SCHOOLS, HOSPITALS AND CHURCHES IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Section 3 of chapter 577 of the acts of 1913, as most recently amended by section 1 of chapter 316 of the acts of 1922, is hereby further amended by inserting after the word "church", in line 14, the words:— , but nothing in this proviso shall be construed to prohibit

granting an application or issuing a permit for the erection, maintenance or use of a structure or building as a garage for more than four cars on premises owned and exclusively occupied for its corporate purposes by such school, hospital or church.

Approved March 30, 1959.

Chap. 162. AN ACT AUTHORIZING THE GRANTING OF A LICENSE FOR THE SALE OF ALCOHOLIC BEVERAGES TO VITTORI ROCCI POST #56 OF THE ITALIAN-AMERICAN WAR VETERANS.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of law to the contrary, the licensing authority of the city of Beverly is hereby authorized to grant Vittori Rocci Post #56 of the Italian-American War Veterans a license for the sale of alcoholic beverages to the members of said post and subject to regulations made by said licensing authority, to guests introduced by such members, and to no others. Such license shall not be transferable and shall, except as provided herein, be subject to all applicable provisions of said chapter one hundred and thirty-eight.

SECTION 2. This act shall take effect upon its passage.

Approved March 31, 1959.

Chap. 163. AN ACT AUTHORIZING THE TOWN OF BRAINTREE TO PAY CERTAIN MEDICAL EXPENSES OF ROBERT O'CONNOR WHO WAS INJURED ON THE PREMISES OF THE NOAH TORREY ELEMENTARY SCHOOL.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of discharging a moral obligation, the town of Braintree may appropriate and pay the sum of six hundred and fifty dollars to Cornelius A. O'Connor, Jr. for medical expenses incurred by him on account of injuries received by his son Robert O'Connor, as the result of an accident on September twenty-fourth, nineteen hundred and fifty-seven occurring on the premises of the Noah Torrey Elementary School.

SECTION 2. Any action taken by the town of Braintree at its annual town meeting in the current year in voting to appropriate money for the purpose of section one is hereby validated and confirmed, and shall have the same effect as though this act were in full force and effect at the time of the posting of the warrant for said meeting.

SECTION 3. This act shall take effect upon its passage.

Approved April 6, 1959.

Chap. 164. AN ACT AUTHORIZING THE TOWN OF MILFORD TO BORROW MONEY FOR THE DREDGING AND IMPROVEMENT OF CERTAIN WATERWAYS AND VALIDATING ACTS AND PROCEEDINGS OF A CERTAIN TOWN MEETING.

Be it enacted, etc., as follows:

SECTION 1. The town of Milford, for the purpose of contributing to the cost or expense of dredging or otherwise improving certain por-

tions of the Charles river and tributaries thereof, including Louisa lake and Godfrey brook, to relieve flood conditions in said town, said work to be done by the division of waterways of the department of public works, may borrow from time to time, within three years of the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, one hundred and ten thousand dollars and may issue bonds or notes of the town therefor which shall bear on their face the words, Town of Milford Dredging and Waterways Improvement Loan, Act of 1959. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than twenty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit of indebtedness and shall, except as herein provided, be subject to the provisions of chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof.

SECTION 2. The acts and proceedings taken at the town meeting of the town of Milford on March twentieth, nineteen hundred and fifty-seven, and contained in Article 40 of the warrant for said meeting, and all acts done in pursuance thereof are hereby confirmed and declared valid.

SECTION 3. This act shall take effect upon its passage.

Approved April 6, 1959.

Chap. 165. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF THE COUNTY OF BARNSTABLE TO REPAIR AND RENOVATE THE BARNSTABLE COUNTY HOSPITAL AND TO EXPEND A CERTAIN SUM OF MONEY THEREFOR OUT OF ANY AVAILABLE FUNDS.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of the county of Barnstable are hereby authorized to repair and renovate the Barnstable county hospital in the town of Bourne. For said purpose said commissioners may expend out of any available funds a sum not exceeding thirty thousand dollars, which sum shall be included in the appropriation for the current year for said county.

SECTION 2. This act shall take effect upon its passage.

Approved April 6, 1959.

Chap. 166. AN ACT RELATIVE TO MEMBERSHIP IN THE FITCHBURG FIRE-FIGHTER'S RELIEF ASSOCIATION AND PROVIDING THAT CERTAIN MEMBERS OF SAID ASSOCIATION MAY, UPON PENSION OR RETIREMENT FROM THE FITCHBURG FIRE DEPARTMENT, BE PAID A CERTAIN SUM OF MONEY BY SAID ASSOCIATION.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the payment of certain sums of money to certain members of the Fitchburg Firefighter's Relief Association in lieu of a death benefit, therefore it is hereby de-

clared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Any member of the Fitchburg Firefighter's Relief Association, a corporation duly established by law and its name changed from Fitchburg Fireman's Relief Association, shall, if he so elects by a writing filed with the secretary of said association within thirty days after he is pensioned or retired from the fire department of the city of Fitchburg, receive from said association a sum equal to and in lieu of the death benefit provided by the by-laws of said association, and he shall thereupon cease to be a member of said association or entitled to receive any benefits therefrom; if any member of said association who is pensioned or retired from said fire department does not make such election as aforesaid, he shall remain a member of said association and entitled to its death benefits, and, subject to the provisions of its by-laws, entitled to any other of its benefits.

SECTION 2. Chapter four hundred and five of the acts of nineteen hundred and fifty-eight is hereby repealed.

SECTION 3. This act shall take effect upon its passage.

Approved April 6, 1959.

Chap. 167. AN ACT PERMITTING ANY DISTRICT COURT TO REVISE OR REVOKE A SENTENCE IMPOSED WITHOUT TRIAL AFTER A PLEA OF GUILTY OR NOLO CONTENDERE.

Be it enacted, etc., as follows:

SECTION 1. Chapter 278 of the General Laws is hereby amended by inserting after section 29 the following section:—*Section 29A.* Any district court may within sixty days after a sentence is imposed, if it appears to the court that justice has not been or cannot be done, and upon such terms or conditions as the court shall order, revise or revoke a sentence imposed without trial after a plea of guilty or nolo contendere, and, in the event of revocation, permit the withdrawal of the plea upon which the sentence was imposed.

The provisions of this section shall not apply to any case which is appealed nor in which, under section twenty-five, an appeal is withdrawn.

SECTION 2. This act shall take effect on October first, nineteen hundred and fifty-nine and shall apply to sentences imposed before as well as after said date.

Approved April 6, 1959.

Chap. 168. AN ACT PROVIDING THAT THE EFFECT OF THE LACK OF A SWORN STATEMENT OF LOSS SHALL BE THE SAME UNDER ALL POLICIES OF INSURANCE AS IT IS UNDER FIRE INSURANCE POLICIES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 175 of the General Laws is hereby amended by inserting after section 186A the following section:—*Section 186B.*

The provisions of section one hundred and two, relative to certain rights of an insured who has failed to render a sworn statement of loss, shall apply in case of claims for loss or damage from any hazard insured against under any policy of insurance issued in the commonwealth.

SECTION 2. The provisions of section one hundred and eighty-six B of chapter one hundred and seventy-five of the General Laws, inserted by section one of this act, shall apply only to policies of insurance issued after the effective date thereof. *Approved April 6, 1959.*

Chap. 169. AN ACT VALIDATING AND CONFIRMING THE APPOINTMENT OF GORDON MCLEOD AS A PERMANENT MEMBER OF THE FIRE DEPARTMENT IN THE CITY OF PITTSFIELD.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of general or special law or of any ordinance of the city of Pittsfield to the contrary, the appointment on December twenty-eighth, nineteen hundred and fifty-seven, of Gordon McLeod as a permanent member of the fire department in the city of Pittsfield is hereby validated and confirmed and said Gordon McLeod shall be deemed to have been a permanent member of said fire department as of January second, nineteen hundred and fifty-eight, the day on which he first reported for duty as a firefighter. Said Gordon McLeod may count the period from said January second to the effective date of this act as creditable service for retirement and other purposes.

SECTION 2. This act shall take full effect upon its acceptance by vote of the city council of the city of Pittsfield, subject to the provisions of its charter, but not otherwise. *Approved April 6, 1959.*

Chap. 170. AN ACT REQUIRING THAT COSTS OF GROUP HOSPITAL MEDICAL BENEFITS FOR CITY EMPLOYEES BE INCLUDED IN CERTAIN CITY BUDGETS.

Be it enacted, etc., as follows:

The first paragraph of section 3 of chapter 32B of the General Laws, as amended by chapter 242 of the acts of 1957, is hereby further amended by inserting after the second sentence the following sentence:—If a city accepts the provisions of this chapter as provided under section ten the annual budget shall include sums necessary to implement said provisions. *Approved April 6, 1959.*

Chap. 171. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE THIRTIETH, NINETEEN HUNDRED AND FIFTY-NINE, TO PROVIDE FOR SUPPLEMENTING CERTAIN EXISTING APPROPRIATIONS AND FOR CERTAIN NEW ACTIVITIES AND PROJECTS.

Be it enacted, etc., as follows:

SECTION 1. To provide for supplementing certain appropriations previously made, and for certain new activities and projects, the sums set forth in this act are hereby made available from the funds designated, to be in addition to any amounts otherwise available for the purpose, subject to the provisions of law regulating the disbursement of public funds and the approval thereof and the conditions pertaining to said appropriations in chapter four hundred and thirty-four of the acts of nineteen hundred and fifty-eight.

SECTION 2.

STATE PURPOSES APPROPRIATIONS.

APPROPRIATIONS MADE FROM THE GENERAL FUND.

Service of the Legislature.

Item	<i>Senate.</i>	
0101-07	For clerical and other assistance including expenses of the senate committee on rules, including not more than seven permanent positions; provided, that notwithstanding any provision of law to the contrary, the present clerk of the senate committee on rules may continue to serve in said office subject to the will of the senate	\$5,000 00
0101-30	For expenses of senators, including travel, prior appropriation continued	7,000 00
0101-60	For traveling and such other expenses of the committees of the senate as may be authorized by order of the senate	1,000 00

House of Representatives.

0102-06	For personal services of the counsel to the house of representatives and assistants, including not more than seven permanent positions	\$18,000 00
0102-07	Item 0102-07 of section two of chapter four hundred and thirty-four of the acts of nineteen hundred and fifty-eight is hereby amended by striking out the wording and inserting in place thereof the following: For clerical and other assistance to the house committee on rules, including not more than thirteen permanent positions	3,130 00
0102-20	For a certain payment, as authorized by chapter twelve of the resolves of the current year	9,700 00
0102-30	For expenses of representatives, including travel, prior appropriation continued	21,000 00
0102-52	For expenses of the committee on rules on the part of the house of representatives for the year nineteen hundred and fifty-nine and the previous year	3,500 00
0102-53	For expenses of the counsel to the house of representatives	1,500 00
0102-60	For traveling and such other expenses of the committees of the house of representatives as may be authorized by order of the house of representatives	1,100 00

Sergeant-at-Arms.

Item		
0103-04	For the salaries of assistant doorkeepers of the senate and house of representatives and of general court officers, with the approval of the sergeant-at-arms, including not more than thirty-six permanent positions	\$8,715 00
0103-05	For compensation of the pages of the senate and house of representatives, with the approval of the sergeant-at-arms, including not more than twenty-four permanent positions	13,860 00
0103-51	For contingent expenses of the senate and house of representatives and necessary expenses in and about the state house, with the approval of the sergeant-at-arms, prior appropriation continued	8,000 00

Other Expenses.

0110-02	For printing, binding and paper ordered by the senate and house of representatives, or by concurrent order of the two branches, with the approval of the clerks of the respective branches, prior appropriation continued	\$65,000 00
0110-05	Item 0110-05 of section two of chapter four hundred and thirty-four of the acts of nineteen hundred and fifty-eight is hereby amended by adding at the end thereof the following:— for the year nineteen hundred and fifty-nine and the previous year	10,000 00
0110-11	For the compilation, indexing, annotating, printing and distribution of veterans' laws subject to the joint committee on rules, as provided by a joint order, appropriation expires June thirtieth, nineteen hundred and sixty	3,000 00
0110-21	For printing a descriptive pamphlet of the murals, house of representatives	700 00
0110-30	For traveling and such other expenses of joint committees of the general court as may be authorized by joint order of the general court	600 00
0110-74	For the expenses of the special investigation of the department of public works, as authorized by an order of the senate adopted September seventeen, nineteen hundred and fifty-eight, with the approval of the senate committee on rules	28,778 00

Special Investigations.

0259-01	For an investigation and study relative to the organization and operation of the metropolitan district commission, as authorized by chapter six of the resolves of nineteen hundred and fifty-nine	\$25,000 00
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*Service of the Judiciary**Superior Court.*

0305-01	For the salaries of the chief justice and of the thirty-seven justices	\$87,500 00
0305-02	For traveling allowances and expenses, prior appropriation continued	5,500 00
0305-04	For expenses authorized by section twenty-eight of chapter two hundred and twelve of the General Laws	2,000 00
0305-11	For compensation of justices of district courts while sitting in the superior court, prior appropriation continued	50,000 00
0305-12	For expenses of justices of district courts while sitting in the superior court, prior appropriation continued	8,700 00

Pensions for Certain Retired Justices.

0345-01	For pensions of retired judges, as authorized by law	\$22,563 00
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Service of the Executive Department.

Extraordinary Expenses.

Item

0405-01	For the cost, not to exceed fifteen thousand dollars, of entertainment of distinguished visitors to the commonwealth, provided that no expenditure shall be allowed for a party exceeding fifty visitors; for the payment of extraordinary expenses not otherwise provided for; and for transfers to appropriation accounts where the amounts otherwise available are insufficient, provided that requests for such transfers shall be referred to the commission on administration and finance which, after investigation, shall submit for the approval of the governor and council its written recommendation as to the amount of funds required, with facts pertinent thereto	\$25,000 00
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Civil Defense Agency.

0406-01	For the service of the civil defense agency, as authorized by chapter six hundred and thirty-nine of the acts of nineteen hundred and fifty, as amended, and chapter five hundred and twenty-two of the acts of nineteen hundred and fifty-one, prior appropriation continued	\$23,000 00
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Service of the Military Division.

Adjutant General.

0420-01	For the salary of the adjutant general	\$3,557 00
0420-02	For the office of the adjutant general, including not more than thirty-eight permanent positions	10,041 00
	Militia:	
0421-13	For compensation for special and miscellaneous duty, including not more than seven permanent positions, and for expenses of operation of the twenty-sixth division	3,695 00
0421-21	For the service of the air national guard, including not more than one permanent position	1,776 00

State Quartermaster.

0423-02	For the operation of armories of the first class, including not more than ninety permanent positions	\$40,000 00
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Boards and Commissions serving under Governor and Council.

Commission on Administration and Finance.

0441-02	For a study of the space requirements of the various departments, boards and commissions to enable the commissioner of administration to negotiate a contract or lease, as authorized by section eight of chapter six hundred and three of the acts of nineteen hundred and fifty-eight	\$48,500 00
0444-01	For the bureau of the purchasing agent, including not more than seventy-two permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of ninety-nine thousand nine hundred and seventy-four dollars from the Highway Fund	2,700 00
0445-01	For the division of personnel and standardization, including not more than sixty-five permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of one hundred and fourteen thousand one hundred and seven dollars from the Highway Fund	3,200 00

Item		
0445-03	For the compensation and expenses of the personnel appeals board, as authorized by chapter six hundred and fifteen of the acts of nineteen hundred and fifty-eight	\$3,000 00
0448-01	For administration of the state employees' group insurance, including not more than eleven permanent positions	9,934 00
0448-02	For the commonwealth's share of the state employees' group insurance; provided, that the employees' group insurance commission shall charge the division of employment security and other departments and divisions which have federal funds allocated to them for this purpose for that portion of the cost of the program as it determines should be borne by such funds, and shall notify the comptroller of the amounts to be transferred, after similar determination, from the several state or other funds, and amounts received in payment of all such charges or such transfers shall be credited to the General Fund, prior appropriation continued	68,000 00

State Superintendent of Buildings.

0450-01	For the office of the superintendent of buildings and for the maintenance of the state house and Ford building, including not more than one hundred and sixty-nine permanent positions	\$30,000 00
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State Racing Commission.

0463-01	For the service of the commission, including not more than eleven permanent positions; provided, that fees paid to veterinarians for services in connection with horse racing shall not exceed twenty-five dollars per diem, and in connection with dog racing, shall not exceed twenty dollars per diem	\$5,164 00
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State Housing Board.

0483-01	For the service of the board, including not more than thirteen permanent positions; provided, that the compensation and expenses for legal services payable from this item shall be limited to ten thousand dollars and shall be by direction and under the control of the attorney general	\$15,200 00
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Veterans' Bonus Commission.

0484-01	For personal services and other expenses of the commission in connection with the payment of the veterans' bonus, so-called, as authorized by chapter four hundred and forty of the acts of nineteen hundred and fifty-three; provided, that requisitions for persons to be employed under the provisions of this item shall be issued under the provisions of chapter thirty for periods not to exceed six months and may from time to time be renewed for like periods	\$6,500 00
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Commissioner of Veterans' Services.

0485-03	For the payment of annuities to certain disabled veterans, as authorized by sections six A to six C, inclusive, of chapter one hundred and fifteen of the General Laws, as amended, prior appropriation continued	\$3,500 00
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Commissioner on Alcoholism.

0499-01	For the service of the office of the commissioner on alcoholism, including not more than three permanent positions	\$1,773 00
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Service of the Secretary of the Commonwealth

Item		
0501-02	Item 0501-02 of section two of chapter five hundred and sixty-seven of the acts of nineteen hundred and fifty-eight is hereby amended by striking out the wording and inserting in place thereof the following:— For the office of the secretary, including not more than seventy-eight permanent positions	\$22,307 00
0528-01	For a certain payment, as authorized by chapter eleven of the resolves of the current year	1,643 00

Service of the Treasurer and Receiver-General.

0601-02	For the office of the treasurer and receiver-general, including not more than fifty-eight permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of one hundred and thirty-eight thousand dollars from the Highway Fund	\$1,200 00
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State Board of Retirement.

0604-01	For the administrative office of the board, including not more than twenty permanent positions	\$400 00
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Service of the Auditor of the Commonwealth.

0701-02	For the office of the auditor, including not more than forty-two permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of ninety-three thousand and nine hundred and four dollars from the Highway Fund	\$10,500 00
0701-23	For an audit of the accounts of the Metropolitan Transit Authority	3,000 00
0701-25	For an audit of certain housing authorities, as authorized by section twenty-six NN of chapter one hundred and twenty-one of the General Laws	2,400 00

Service of the Department of the Attorney General.

0801-02	For the office of the attorney general, including not more than forty-one permanent positions, for the year nineteen hundred and fifty-nine and the previous year	\$2,149 00
0802-01	For the settlement of certain claims, as provided by law, on account of damages by cars owned by the commonwealth and operated by state employees; provided, that the comptroller shall transfer to the General Fund from the appropriate funds sums equal to the payments made under this item for claims against agencies whose appropriations are derived from other funds	30,000 00
0802-02	For the settlement of certain small claims, as authorized by section three A of chapter twelve of the General Laws	5,000 00
0828-01	For a certain payment, as authorized by chapter one hundred and forty-four of the resolves of nineteen hundred and fifty-eight	5,796 00

Service of the Department of Agriculture.

0901-02	For the office of the commissioner, including not more than thirty-three permanent positions	\$3,610 00
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Service of the Department of National Resources.

1001-02	For the office of the commissioner, including not more than thirty-four permanent positions	\$5,000 00
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Division of Forests and Parks.

Item

- 1002-12 For the service of the state fire warden, including not more than twenty-two permanent positions, and for expenses of the Northeastern Forest Fire Protection Commission, as authorized by chapter four hundred and fifty-seven of the acts of nineteen hundred and forty-nine, and for compensation of commissioners, as provided by section four of said chapter **\$15,000 00**
- 1002-21 For the development of forests, including not more than thirty-eight permanent positions **8,900 00**
- 1002-26 For certain farm forestry projects in co-operation with the United States Forest Service and the county of Berkshire, including not more than one permanent position; provided, that no expenditure shall be made under this item until the county of Berkshire shall have deposited the sum of one thousand six hundred and sixty-four dollars in the state treasury for this project **50 00**
- 1002-27 For certain farm forestry projects in co-operation with the United States Forest Service and the county of Essex, including not more than one permanent position; provided, that no expenditure shall be made under this item until the county of Essex shall have deposited the sum of one thousand five hundred and thirty-seven dollars in the state treasury for this project **50 00**
- 1002-31 For the suppression of insect pests and shade tree diseases, including gypsy and brown tail moths and Japanese beetles under any general or special law, and including not more than eighteen permanent positions; provided, that notwithstanding the provisions of section two of chapter twenty-nine of the General Laws, as amended, assessments received from cities and towns in the fiscal year nineteen hundred and fifty-seven and thereafter representing their portion of the cost of gypsy moth program established under chapter one hundred and forty-eight of the acts of nineteen hundred and fifty-four, as amended, shall be applied to the amortization of the authorization of notes under section four of said chapter one hundred and forty-eight, as amended, provided, however, that when this has been accomplished, said assessments shall be credited to the General Fund; and, provided further, that from the beginning of the aforesaid program to its completion all charges shall be apportioned equally between 1002-31 and sums made available by section two of chapter one hundred and forty-eight of the acts of nineteen hundred and fifty-four, prior appropriation continued **21,000 00**

Division of Law Enforcement.

- 1003-02 For the administration and enforcement of laws relative to shellfish and other marine fisheries, and for regulating the sale and cold storage of fresh food fish, including not more than twenty-eight permanent positions **\$4,250 00**

Division of Marine Fisheries.

- 1004-70 For the service of the office of the director, including not more than eighteen permanent positions, and for the administration of the activities provided for under item 2610-04; provided, that a sum not exceeding ten thousand dollars may be expended from this item for an educational program in regard to handling fish aboard vessels contingent upon receiving a subsidy equal to the expenditures from the federal government for the purpose **\$2,500 00**

Division of Water Resources.

- 1010-01 For the service of the division, including not more than four permanent positions **\$1,300 00**

Service of the Department of Banking and Insurance.

Division of Banks.

Item		
1101-02	For the office of the commissioner, including not more than one hundred and sixty-five permanent positions .	\$37,500 00
1102-01	For the office of the supervisor of loan agencies, including not more than eleven permanent positions .	22,440 00

Division of Insurance.

1103-02	For the service of the division, including expenses of the board of appeal and certain other costs of supervising motor vehicle liability insurance, and including not more than two hundred and forty-five permanent positions; provided, that contracts or orders for the purchase of statement blanks for the making of annual reports to the commissioner of insurance shall not be subject to the restrictions prescribed by section one of chapter five of the General Laws; and, provided further, that the comptroller shall transfer to the General Fund the sum of two hundred and fifty-nine thousand six hundred and forty dollars from the Highway Fund .	\$5,000 00
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Service of the Department of Corporations and Taxation.

1201-02	Item 1201-02 of section two of chapter four hundred and thirty-four of the acts of nineteen hundred and fifty-eight is hereby amended by striking out the wording and inserting in place thereof the following:— For personal services of the department except as otherwise provided, including not more than seven hundred and fifteen permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of one hundred and sixty-three thousand one hundred and ninety-five dollars from the Highway Fund and the sum of two million two hundred and thirty-two thousand six hundred and twenty-four dollars from the receipts of the income tax .	\$111,091 00
1201-03	For expenses of the department except as otherwise provided for; provided, that the comptroller shall transfer to the General Fund the sum of forty-one thousand six hundred and sixty dollars from the Highway Fund .	3,000 00
1202-02	For expenses of the income tax division; provided, that a sum equivalent to the payments under this item shall be transferred to the General Fund from the receipts of the income tax .	249,575 00

Service of the Department of Education.

1301-02	For the office of the commissioner, including not more than eighty-four permanent positions .	\$2,450 00
1301-03	Item 1301-03 of section two of chapter four hundred and thirty-four of the acts of nineteen hundred and fifty-eight is hereby amended by striking out in line twelve the words "two hundred and ten" and inserting in place thereof the following:— two hundred and thirty-five.	
1301-10	For the service of the state building on Newbury Street, Boston, including not more than five permanent positions .	2,500 00
1301-32	For assistance to children of certain war veterans, prior appropriation continued, as authorized by section seven B of chapter sixty-nine of the General Laws and corresponding provisions of earlier laws .	65,000 00
1301-33	For certain educational services to certain war veterans .	75 00

School Lunch and Commodity Distribution Program.

Item		
1305-01	For the administration of the program, including not more than twenty-seven permanent positions	\$16,900 00

Education of Deaf and Blind Pupils.

1311-01	For education of deaf and blind pupils of the commonwealth, as provided by section twenty-six of chapter sixty-nine of the General Laws, prior appropriation continued	\$100,000 00
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Division of University Extension.

1313-01	Item 1313-01 of section two of chapter four hundred and thirty-four of the acts of nineteen hundred and fifty-eight is hereby amended by striking out in line six the words "two hundred thousand" and inserting in place thereof the following:—two hundred and twenty thousand.	
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Division of Immigration and Americanization.

1315-01	For the service of the division, including not more than nineteen permanent positions	\$852 00
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Division of Public Libraries.

1316-01	For the service of the division, including not more than twenty-five permanent positions	\$600 00
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Division of the Blind.

1317-01	For general administration and for instruction of the adult blind in their homes, including not more than sixty-eight permanent positions	\$5,000 00
1317-10	For expenses of administering and operating the service of piano tuning under section twenty-five of chapter sixty-nine of the General Laws	2,500 00
1317-11	For the operation of local shops, including not more than eleven permanent positions	540 00
1317-16	For the operation of certain industries for men, including not more than nine permanent positions	1,000 00
1317-28	For the promotion of vocational rehabilitation of the blind in co-operation with the federal government, prior appropriation continued	54,000 00

Teachers' Retirement Board.

1319-01	For the service of the board, including not more than thirty permanent positions	\$4,031 00
1319-08	For the payment of the commonwealth's share in financing the teachers' retirement system, as provided by chapter thirty-two of the General Laws as amended, prior appropriation continued	200,000 00

Massachusetts Maritime Academy.

1327-10	For maintenance of the academy and ship, including not more than forty-nine permanent positions, with the approval of the commissioner of education	\$45,500 00
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For the maintenance of and for certain improvements at the following state teachers' colleges, and the boarding halls attached thereto, with the approval of the commissioner of education:

1330-01	State teachers college at Bridgewater, including not more than one hundred and nine permanent positions	\$7,000 00
1330-21	State teachers college at Bridgewater, boarding hall, including not more than thirty-seven permanent positions	1,000 00

Item		
1331-01	State teachers college at Fitchburg, including not more than ninety permanent positions	\$7,000 00
1331-21	State teachers college at Fitchburg, boarding hall, including not more than eleven permanent positions	1,000 00
1332-01	State teachers college at Framingham, including not more than eighty-nine permanent positions	17,000 00
1332-21	State teachers college at Framingham, boarding hall, including not more than thirty permanent positions	1,000 00
1333-01	State teachers college at Lowell, including not more than sixty-eight permanent positions	2,000 00
1333-21	State teachers college at Lowell, boarding hall	1,000 00
1334-01	State teachers college at North Adams, including not more than thirty-eight permanent positions	2,000 00
1334-21	State teachers college at North Adams, boarding hall, including not more than seven permanent positions	700 00
1335-01	State teachers college at Salem, including not more than eighty-one permanent positions	2,000 00
1336-01	State teachers college at Westfield, including not more than sixty-two permanent positions	700 00
1336-21	State teachers college at Westfield, boarding hall, including not more than seven permanent positions	300 00
1337-01	State teachers college at Worcester, including not more than sixty-six permanent positions	2,000 00
1339-01	Massachusetts school of art, including not more than forty-three permanent positions	2,000 00

For the maintenance of and for certain improvements at the following institutes, with the approval of the commissioner of education and the trustees thereof.

1340-01	Bradford Durfee College of Technology, including not more than fifty-four permanent positions, and including the sum of ten thousand dollars which is to be assessed upon the city of Fall River as a part of the charges to be paid by said city to the commonwealth in the calendar year nineteen hundred and fifty-eight	\$4,000 00
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University of Massachusetts.

1350-01	For the maintenance of the University of Massachusetts, with the approval of the trustees, including not more than one thousand one hundred and twenty-six permanent positions	\$85,000 00
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Massachusetts Board of Regional Community Colleges.

1360-01	For administration of the program, as authorized by section twenty-seven of chapter fifteen of the General Laws, appropriation expires June thirtieth, nineteen hundred and sixty	\$25,000 00
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Division of Youth Service.

1380-01	For the youth service board and for the administration of the division of youth service, including not more than seventy-nine permanent positions	\$14,940 00
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For the maintenance of and for certain improvements at the institutions within the division:

1381-01	Industrial school for boys, including not more than one hundred and twenty-one permanent positions	\$8,000 00
1382-01	Industrial school for girls, including not more than seventy permanent positions	9,700 00

Item		
1383-01	Lyman school for boys, including not more than one hundred and thirty-five permanent positions	\$26,500 00
1384-01	For the operation of reception and detention facilities for boys in the city of Boston, including not more than fifty-one permanent positions	5,080 00
1385-01	For the operation of the institute of juvenile guidance, including not more than fifty-two permanent positions	2,450 00
1386-01	For the operation of reception and detention facilities for girls in the city of Boston, including not more than twenty-seven permanent positions	4,750 00
1388-01	For the operation of a residential treatment unit for small boys in Oakdale, including not more than twenty-one permanent positions	5,000 00

Board of Educational Assistance.

1394-01	For the expenses of the board, as authorized by section twenty-six of chapter fifteen of the General Laws, prior appropriation continued	\$1,000 00
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Service of the Department of Civil Service and Registration.

Division of Civil Service.

1402-02	For the service of the division, including not more than two hundred and thirteen permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of one hundred and fifty-three thousand five hundred and twenty-eight dollars from the Highway Fund	\$4,000 00
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Division of Registration.

1403-02	For the service of the division, including not more than forty-eight permanent positions	\$44,980 00
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For the service of the following agencies in the division:

1411-01	Board of registration in veterinary medicine, including not more than five permanent positions	\$300 00
1412-01	Board of registration of professional engineers and land surveyors	6,905 00
1418-01	Board of registration of real estate brokers and salesmen	500 00

Service of the Department of Commerce.

1551-01	Item 1551-01 of section two of chapter four hundred and thirty-four of the acts of nineteen hundred and fifty-eight is hereby amended by adding at the end thereof the following:— ; provided, that notwithstanding the provisions of section eight A of chapter twenty-nine of the General Laws, the sum of one thousand one hundred and fifty-four dollars and nineteen cents shall be allowed and paid for certain improvements to the New York office during the fiscal year nineteen hundred and fifty-seven.	
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Service of the Department of Labor and Industries.

1607-01	For the division of statistics, including not more than thirty-four permanent positions	\$9,526 00
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Health, Welfare and Retirement Trust Funds Board.

1640-01	For the service of the board, as authorized by sections ten E and ten F of chapter twenty-three of the General Laws	\$40,000 00
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Division of Industrial Accidents.

- Item
1651-06 Item 1651-06 of section two of chapter four hundred and thirty-four of the acts of nineteen hundred and fifty-eight is hereby amended by striking out the wording and inserting in place thereof the following:—
For the compensation of certain public employees for injuries sustained in the course of their employment, as provided by section sixty-nine of chapter one hundred and fifty-two of the General Laws, prior appropriation continued; provided, that the comptroller shall transfer to the General Fund the sum of three hundred and sixty-eight thousand dollars from the Highway Fund \$197,000 00

Service of the Department of Mental Health.

For the maintenance of and for certain improvements at the following institutions under the control of the department of mental health:

- 1710-00 Massachusetts mental health center, including not more than two hundred and thirty-nine permanent positions \$67,550 00
1713-00 Foxborough state hospital, including not more than four hundred and seventy permanent positions 80,200 00
1714-00 Gardner state hospital, including not more than four hundred and eighty-one permanent positions 87,300 00
1715-00 Grafton state hospital, including not more than five hundred and sixty-nine permanent positions 25,000 00
1716-00 Item 1716-00 of section two of chapter four hundred and thirty-four of the acts of nineteen hundred and fifty-eight is hereby amended by adding at the end thereof the following:— ; provided, that an overpayment of thirty dollars deemed to be uncollectible may be charged to this item.
1719-00 Item 1719-00 of section two of chapter four hundred and thirty-four of the acts of nineteen hundred and fifty-eight is hereby amended by adding at the end thereof the following:— ; provided, that notwithstanding any other provision of law to the contrary, there shall be included payments totaling five thousand four hundred and three dollars and seven cents for certain prior-year salaries earned but not paid 88,835 00
1723-00 Belchertown state school, including not more than four hundred and sixty-two permanent positions 50,000 00
1724-00 Walter E. Fernald state school, including not more than eight hundred and thirty permanent positions 67,550 00
1725-00 Wrentham state school, including not more than six hundred and thirty-eight permanent positions 10,000 00

Service of the Department of Correction.

Parole Board.

- 1805-01 For the service of the board, including not more than sixty-three permanent positions \$1,500 00
Section two of chapter four hundred and thirty-four of the acts of nineteen hundred and fifty-eight is hereby amended by striking out the heading preceding item 1810-01 and inserting in place thereof the following:—

For the maintenance of and for certain improvements at the following institutions under the control of the department of correction; provided, however, that the governor, upon the recommendation of the commission on administration and finance, may allocate funds by transfer or otherwise between appropriations made available to the department of correction

Item

for the fiscal year ending June thirtieth, nineteen hundred and fifty-nine, in appropriation items 1802-01, 1810-01, 1812-01, 1812-02, 1814-01, 1814-02, 1816-01, 1816-02, 1818-01 and 1818-02:

1810-01	Correctional institution at Bridgewater, including not more than four hundred and eighty-one permanent positions	\$40,000 00
1812-01	Correctional institution at Walpole, including not more than two hundred and seventy permanent positions	9,000 00
1812-02	Correctional institution at Walpole, industries, including not more than thirty permanent positions; provided, that the commissioner of correction shall determine the cost of the manufacture of motor vehicle registration plates and certify to the comptroller the amounts to be transferred therefor from the Highway Fund to the General Fund	21,000 00
1814-01	Correctional institution at Concord, including not more than two hundred and forty-five permanent positions	17,000 00
1814-02	Correctional institution at Concord, industries, including not more than twenty-three permanent positions	3,200 00
1816-01	Correctional institution at Framingham, including not more than one hundred and thirty-one permanent positions	10,000 00
1818-01	Correctional institution at Norfolk, including not more than two hundred and fifty-three permanent positions	25,000 00
1818-02	Correctional institution at Norfolk, industries, including not more than twenty-nine permanent positions	1,800 00

Service of the Department of Public Welfare.

1901-03	For administration of the program of old age assistance provided by chapter one hundred and eighteen A of the General Laws, and for the office of the commissioner and expenses of the department of public welfare, including not more than five hundred and sixty-nine permanent positions	\$7,500 00
1901-06	For payments on account of old age assistance grants made in accordance with section one C of chapter one hundred and eighteen A of the General Laws	5,000 00

Division of Child Guardianship.

1906-04	For the care and maintenance of children under the jurisdiction of the division of child guardianship, prior appropriation continued	\$356,000 00
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Service of the Department of Public Health.

Bureau of Administration.

2001-03	For a poliomyelitis vaccine (Salk) program, as authorized by chapter four hundred and eighty-one of the acts of nineteen hundred and fifty-five, as amended, and for the development of programs for the diagnosis, care, treatment and rehabilitation of victims of the poliomyelitis epidemic, to be expended either with or without grants or contributions from public or private agencies; provided, that such grants or contributions may be expended without appropriation, prior appropriation continued	\$75,000 00
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Bureau of Health Services.

2004-01	For the service of the bureau of health services, including not more than fifty-four permanent positions	\$42,445 00
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Item

For the maintenance of and for certain improvements at the following institutions under the control of the department of public health:

- 1919-00} Item 1919-00 of section two of chapter four hundred and thirty-
2021-00} four of the acts of nineteen hundred and fifty-eight is hereby
amended by striking out the wording and by changing the
item number to item 2021-00 and by inserting in place there-
of the following:— 2021-00 for the maintenance of the Tewks-
bury hospital, including not more than seven hundred and
sixty-one permanent positions \$29,000 00
- 8457-02 Item 8457-02 of section four of chapter seven hundred and
eleven of the acts of nineteen hundred and fifty-six is hereby
amended by adding at the end thereof the following:— ; pro-
vided, that notwithstanding the provisions of section eight A
of chapter twenty-nine of the General Laws, the sum of four
thousand two hundred dollars shall be allowed and paid for
the purchase and installation of certain equipment.

Thames River Valley Flood Control Commission.

- 2040-04 For expenses of the commission, as authorized by chapter six
hundred and sixteen of the acts of nineteen hundred and
fifty-seven \$7,300 00

Service of the Department of Public Safety.

- 2101-02 For certain administrative expenses of the department, including
not more than ninety-nine permanent positions \$2,250 00

Board of Schoolhouse Structural Standards.

- 2110-01 For the service of the board, as authorized by chapter six hun-
dred and seventy-five of the acts of nineteen hundred and
fifty-five, as amended \$1,200 00

Service of the Department of Public Works.

Division of Waterways.

- 2202-07 For the operation and maintenance of the New Bedford state
pier, including not more than three permanent posi-
tions \$5,970 00
- 2220-23 Any funds remaining in item 2220-23 of section two of chapter
seven hundred and seventy-one of the acts of nineteen
hundred and fifty-seven are hereby made available for the
continued investigation and study relative to great ponds,
as authorized by chapter one hundred and fifty-five of the
resolves of nineteen hundred and fifty-eight.
- 2220-46 For certain improvements to the channel markings in the Plum
Island River, as authorized by chapter four hundred and
ninety-five of the acts of nineteen hundred and fifty-
eight 2,000 00

Service of the Department of Public Utilities.

- 2301-01 For personal services of the commissioners, including not
more than seven permanent positions \$12,000 00
- 2301-02 For administration, including not more than seventy-three
permanent positions 4,233 00

Commercial Motor Vehicle Division.

- 2304-01 For the service of the division, including not more than thirty-
two permanent positions \$2,966 00

Annuities and Payments.

Item		
2805-01	For the payment of certain annuities and pensions of soldiers and others under the provisions of certain acts and resolves	\$3,250 00

Miscellaneous.

2820-03	For the payment of certain compensation, as authorized by chapter five hundred and thirty of the acts of nineteen hundred and fifty-eight	\$4,500 00
2820-07	For the payment of certain claims, as authorized by chapters thirty-two and thirty-three of the resolves of nineteen hundred and fifty-eight	4,029 00
2820-08	For the payment of claims for unpaid checks, with the approval of the state treasurer and certification by him to the comptroller of the amount due, where payment has otherwise been prevented as a result of the application of section thirty-two of chapter twenty-nine of the General Laws	100 00
2820-32	For a reserve for expenses arising from the increased cost of postage, the sum of one hundred thousand dollars is hereby appropriated and made available for transfer, with the approval of the commission on administration and finance, to appropriation items where the amounts otherwise available are insufficient for the purpose; provided, that no such transfer shall limit the power of the budget commissioner to increase or decrease the amounts of subsidiary accounts as authorized by section twenty-nine of chapter twenty-nine of the General Laws	100,000 00
2820-40	For the payment of the commonwealth's share of certain expenses of the Massachusetts Market Authority	465 00
4181-00	Notwithstanding any provision of law or rules and regulations of the division of personnel, the comptroller is hereby authorized to allow payments totaling one thousand eighty-six dollars and seventy-nine cents made to certain employees of the division of employment security prior to July first, nineteen hundred and fifty-eight, and deemed to be uncollectible.	

APPROPRIATIONS MADE FROM THE HIGHWAY FUND.

Service of the Department of Public Works.

Highway Activities.

The salaries of all officers and employees of the department engaged in projects or activities relating to highways shall be charged for the nineteen hundred and fifty-nine fiscal year in full to appropriations authorized under the heading of "Highway Activities" in this act:

2900-12	} From the unexpended balances remaining in items 2900-12 and 2900-36 of section two of chapter four hundred and thirty-four of the acts of nineteen hundred and fifty-eight, the sum of four hundred and seventy thousand dollars from said item 2900-12 and the sum of nine hundred and fifty thousand dollars from said item 2900-36 are hereby transferred and made available for the purposes of item 2900-02 of section two of said chapter four hundred and thirty-four, and said item 2900-02 is hereby amended by inserting in line seven after the word "rules" the following:— ; and, provided further, that the sum of one million four hundred and twenty thousand dollars is hereby made available for personal services in addition to the initial amounts made available for the purpose.
2900-36	
2900-02	

Service of the Registry of Motor Vehicles.

Item	
2900-36}	From the unexpended balance remaining in item 2900-36 of section two of chapter four hundred and thirty-four of the acts of nineteen hundred and fifty-eight, the sum of one hundred and twenty-five thousand dollars is hereby transferred and made available for the purposes of item 2924-01 of section two of said chapter four hundred and thirty-four.
2924-01}	

Service of the Department of Public Safety.

Division of State Police.

2900-04}	From the unexpended balance remaining in item 2900-04 of section two of chapter four hundred and thirty-four of the acts of nineteen hundred and fifty-eight, the sum of fifteen thousand dollars is hereby transferred and made available for the purposes of item 2926-01 of section two of said chapter four hundred and thirty-four.
2926-01}	

Service of the Metropolitan District Commission.

The following item is to be paid with the approval of the Metropolitan District Commission:

2900-04}	From the unexpended balance remaining in item 2900-04 of section two of chapter four hundred and thirty-four of the acts of nineteen hundred and fifty-eight, the sum of sixteen thousand five hundred dollars is hereby transferred and made available for the purposes of item 2931-06, and said item 2931-06 is hereby amended by adding at the end thereof the following:—; and, provided further, that the amount authorized by chapter one hundred and fifteen of the resolves of nineteen hundred and fifty-eight shall be paid from this item; and, provided further, that notwithstanding any other provision of law to the contrary, there shall be included a payment of six hundred and forty-two dollars for a certain prior-year salary earned but not paid.
2931-06}	

APPROPRIATIONS PAYABLE FROM THE AGRICULTURAL PURPOSES FUND.

Service of the Department of Agriculture.

Division of Plant Pest Control and Fairs.

3809-21	For state prizes and agricultural exhibits, including allotment of funds for the 4-H activities; provided, that the comptroller shall transfer to the General Fund the sum of eleven thousand dollars from the Agricultural Purposes Fund	\$30,500 00
3809-22	For certain renovations and improvements to the state agricultural and industrial building in the town of West Springfield; provided, that this item shall be subject to the provisions of section thirty A of chapter seven of the General Laws, appropriation expires June thirtieth, nineteen hundred and fifty-nine	9,580 00

APPROPRIATIONS PAYABLE FROM THE MOSQUITO CONTROL FUND.

Service of the State Reclamation Board.

3918-00	For the expenses of mosquito control projects, as authorized by chapter four hundred and thirty-two of the acts of nineteen hundred and fifty-eight, to be assessed in the calendar year nineteen hundred and fifty-nine	\$79,451 00
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APPROPRIATIONS PAYABLE FROM THE STATE RECREATION AREAS FUND.

Service of the Department of Natural Resources.

Division of Forests and Parks.

Item		
4010-01	For the service of the bureau of recreation, including not more than seventy permanent positions	\$29,000 00

Service of the Department of Public Works.

4050-01	Item 4050-01 of section two of chapter four hundred and thirty-four of the acts of nineteen hundred and fifty-eight is hereby amended by striking out, in line two, the word "two" and inserting in place thereof the word:—three	\$3,700 00
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APPROPRIATION PAYABLE FROM THE SMOKE INSPECTION FUND.

Service of the Department of Public Health.

Division of Smoke Inspection.

4311-01	For the service of the division, including not more than nine permanent positions	\$300 00
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APPROPRIATIONS PAYABLE FROM THE METROPOLITAN DISTRICT COMMISSION FUNDS.

The following appropriations are to be assessed upon the several districts in accordance with the methods fixed by law, unless otherwise provided, and to be expended under the direction of the Metropolitan District Commission:

Metropolitan Water System.

8902-25	For certain claims, as authorized by chapter three hundred and seventy-nine of the acts of nineteen hundred and fifty-eight	\$25,000 00
8902-26}	From the unexpended balance remaining in item 8902-26 of	
8902-80}	section two of chapter four hundred and thirty-eight of the acts of nineteen hundred and fifty-seven the sum of four thousand one hundred and seventy-seven dollars is hereby transferred and made available for the purposes of item 8902-80 of section two of chapter five hundred and forty-one of the acts of nineteen hundred and fifty-five.	

LOCAL AID APPROPRIATIONS.

The following appropriations are for reimbursements and grants to local governments and for certain other purposes, and are to be in addition to any unexpended balance of appropriations heretofore made for the purpose:

APPROPRIATIONS MADE FROM THE GENERAL FUND.

Service of the Judiciary.

Superior Court.

2603-01	For reimbursing certain counties for compensation of certain special justices for services in holding sessions of district courts in place of the justice, while sitting in the superior court, for the year nineteen hundred and fifty-nine and the previous year	\$45,400 00
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Service of the Department of Corporations and Taxation.

Reimbursement for Loss of Taxes.

Item		
2612-02	For the reimbursement of cities and towns for abatements granted, as provided by section eight A of chapter fifty-eight and section five of chapter fifty-nine of the General Laws	\$17,000 00

Service of the Department of Education.

2613-05	For the reimbursement of certain cities and towns for a part of the expenses of maintaining agricultural and industrial vocational schools, as provided by law	\$197,245 00
2613-06	For reimbursement of certain cities and towns for adult English-speaking classes	11,366 00
2613-07	For the reimbursement of certain towns for the transportation of pupils, as authorized by section eight A of chapter seventy-four of the General Laws; provided, that a sum equivalent to the payments under this item shall be transferred to the General Fund from the receipts of the income tax	11,088 00
2613-19	For the reimbursement of certain cities and towns maintaining extended courses of instruction, as authorized by section seventy-eight of chapter seventy-one of the General Laws	8,000 00

School Lunch and Commodity Distribution Program.

2613-09	For the reimbursement of cities and towns for partial assistance in the furnishing of lunches to school children, as authorized by chapter five hundred and thirty-eight of the acts of nineteen hundred and fifty-one, and if necessary for supplementing federal funds allocated for the special milk program; provided, that notwithstanding any provisions of law to the contrary, reimbursements so authorized to be paid from state funds shall not exceed fifty per cent of the total reimbursement authorized by the national school lunch act; and, provided further, that a sum equivalent to the payments under this item shall be transferred to the General Fund from the receipts of the income tax	\$150,000 00
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Education of Deaf and Blind Pupils.

2613-10	For the reimbursement of certain cities and towns for day classes of the deaf and of the blind, as provided by sections twenty-eight and thirty-three of chapter sixty-nine of the General Laws	\$35,000 00
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Service of the Department of Public Welfare.

2619-08	For reimbursement to cities and towns for old age assistance, as provided by law	\$7,500,000 00
2619-09	Item 2619-09 of section two of chapter four hundred and thirty-four of the acts of nineteen hundred and fifty-eight is hereby amended by striking out in line four the words "one million seven hundred and fifty thousand" and inserting in place thereof the following:— three million.	

DEBT SERVICE APPROPRIATIONS.

APPROPRIATIONS MADE FROM THE HIGHWAY FUND.

Interest and Redemption of Debt.

2952-00}	From the unexpended balance remaining in item 2952-00 of section two of chapter four hundred and thirty-four of the acts of nineteen hundred and fifty-eight, the sum of three hundred	
2951-00}		

Item

and sixty-three thousand nine hundred and eleven dollars is hereby transferred and made available for the purposes of item 2951-00 of said section two of chapter four hundred and thirty-four of the acts of nineteen hundred and fifty-eight \$441,210 00

DEFICIENCIES.

For deficiencies in certain appropriations of previous years, in certain funds, as follows:

2899-00	General Fund	\$32,058 00
2999-00	Highway Fund	8,619 00
3999-00	Special Assessment Fund	459 00
4099-00	State Recreation Areas Fund	898 00
8699-00	Metropolitan District Parks Fund	3,409 00
8999-00	Metropolitan District Water Fund	1,200 00

SECTION 3. It is hereby provided that, for the purpose of allocating charges for engineering services rendered during fiscal nineteen hundred and fifty-nine as a part of the direct cost of the projects for which they were incurred, the comptroller is hereby directed to transfer to Water System Bond Issue Accounts 9104-06 and/or 9104-07 from the following items such amounts as may be certified to him by the commissioner of the metropolitan district commission as chargeable to said items for personal services rendered by the personnel of the construction division upon the projects provided for in said items:

8329-00	9104-05	9107-33
8602-91	9107-01	9107-34
9102-01	9107-02	9107-35
9103-01	9107-21	9107-36
9103-02	9107-22	9107-39
9103-03	9107-23	9114-01
9103-04	9107-25	9117-01
9104-03	9107-26	9118-01
9104-04	9107-31	

SECTION 4. To provide for meeting the cost of salary adjustments authorized to be paid in accordance with the provisions of section fifteen of chapter seven hundred and forty-three of the acts of nineteen hundred and fifty-seven the unexpended balance remaining in item 2844-01 of section two A of chapter three hundred and forty-two of the acts of nineteen hundred and fifty-eight is hereby made available for transfer, as provided in said section fifteen, to appropriation accounts for personal services for the fiscal year nineteen hundred and fifty-nine, and amounts available for personal services for the fiscal year nineteen hundred and fifty-nine shall be available for the payment of said salary adjustments.

SECTION 5. This act shall take effect upon its passage.

Approved April 6, 1959.

Chap. 172. AN ACT AUTHORIZING THE CITY OF MARLBOROUGH TO BORROW MONEY FOR THE PURPOSE OF PROVIDING OFF-STREET PUBLIC PARKING FACILITIES IN SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of providing off-street public parking facilities the city of Marlborough may, for such purpose, acquire by purchase, lease or otherwise, or take by eminent domain under the provisions of chapter seventy-nine or eighty A of the General Laws, such land and buildings located in said city as the city council may determine. Said city may for the purposes of this act borrow, from time to time, within a period of five years from the passage of this act, such sums as may be necessary, not exceeding in the aggregate two hundred and fifty thousand dollars and may issue bonds or notes therefor which shall bear on their face the words, City of Marlborough, Public Parking Loan, Act of 1959. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than twenty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, and shall, except as herein provided, be subject to chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof.

SECTION 2. Said city may install parking meters in said off-street parking areas and the receipts thereof shall be applied annually, first, to reimbursing the city for its annual payments on account of the above-mentioned loan, and secondly, for any of the purposes for which parking meter receipts may be used under sections twenty-two B and twenty-two C of chapter forty of the General Laws, including the taking by eminent domain under chapters seventy-nine and eighty A of the General Laws of additional parking lots and the care and maintenance of the same.

SECTION 3. Upon liquidation of the loan authorized by section one, receipts from said parking meters may be used for the purposes prescribed by sections twenty-two B and twenty-two C of chapter forty of the General Laws, or for the purposes of acquiring such other off-street parking spaces in said city by purchase, lease or otherwise, or by eminent domain, as the city council shall determine.

SECTION 4. Said city may acquire said meters in the manner provided by section twenty-two A of chapter forty of the General Laws.

SECTION 5. This act shall take effect upon its passage.

Approved April 8, 1959.

Chap. 173. AN ACT RELATIVE TO THE DATES OF FILING AND CERTIFICATION OF NOMINATION PAPERS AND THE HOLDING OF PRELIMINARY ELECTIONS IN THE CITY OF HOLYOKE.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 327 of the acts of 1957 is hereby amended by striking out, in line 1, the word "third" and inserting in place thereof the word:—fourth.

SECTION 2. Section 3 of said chapter 327 is hereby amended by striking out, in line 10, the word "sixth" and inserting in place thereof the word:—eighth.

SECTION 3. Section 4 of said chapter 327 is hereby amended by striking out, in line 10, the word "fifth" and inserting in place thereof the word:—seventh.

SECTION 4. This act shall take effect upon its passage.

Approved April 8, 1959.

Chap. 174. AN ACT AUTHORIZING CO-OPERATIVE BANKS TO MAKE CERTAIN MORTGAGE LOANS UP TO NINETY PER CENT OF THE VALUE OF THE MORTGAGED PROPERTY.

Be it enacted, etc., as follows:

Section 24 of chapter 170 of the General Laws is hereby amended by inserting after subsection 3 the following subsection:—

3A. Notwithstanding the provisions of subsection 3, the amount of any loan when made or acquired may exceed eighty per cent but not more than ninety per cent of the value of the mortgaged property as certified by the security committee, provided that (a) a loan made under this subsection shall not exceed eighteen thousand dollars; (b) the term of the note therefor shall not exceed eighteen years; (c) said loan shall be secured by a first mortgage on a single family residence occupied or to be occupied by the mortgagor; (d) the security committee has certified in writing (1) that the mortgagor does not require junior financing; (2) that the building has a useful life beyond the term said loan has to run and (3) that the building will be completed prior to the making of any disbursement on the loan; (e) the terms of the note or mortgage require monthly payments in such amounts that the aggregate principal reduction at any time during the term of the loan shall not be less than that which would be required in the case of a note of like amount and interest rate providing for complete amortization by equal monthly payments over a period of eighteen years which payment shall be first applied to interest and the balance thereafter remaining applied to principal. Interest upon each such loan shall be computed monthly on the unpaid balance thereof. A note or mortgage taken under this subsection shall contain a provision requiring the payment each month of a proportionate part of the estimated real estate taxes and betterment assessments. The aggregate amount of loans outstanding hereunder shall not at any one time exceed five per cent of the deposits of the corporation.

Approved April 8, 1959.

Chap. 175. AN ACT IMPOSING A PENALTY FOR FAILURE TO SURRENDER A SPORTING, HUNTING, FISHING OR TRAPPING LICENSE AFTER DEMAND AND NOTICE.

Be it enacted, etc., as follows:

Chapter 131 of the General Laws is hereby amended by striking out section 16A, inserted by chapter 647 of the acts of 1955, and inserting

in place thereof the following section:—*Section 16A.* The provisions of section sixteen, except as hereinafter provided, shall not apply to any holder of a sporting, hunting, fishing or trapping license who violates section six in that he fails to carry such license on his person and wear it in a visible manner on his outer clothing while fishing, hunting or trapping; provided, that he furnishes definite proof to the person demanding the production of his license for inspection, as authorized in said section six, that he is the holder of a valid license. In the event that a holder of such license fails to carry it on his person and wear it in a visible manner, he shall for his first offence be reported to the director; upon his second such offence, his license shall be surrendered and shall be void for a period of thirty days from the date of the notice of his second offence, after which it will be returned to him by the director; and upon a subsequent offence his license shall be subject to the provisions of section sixteen. The failure to surrender a license on demand of the director, conservation officer or any officer empowered to enforce this chapter, after notice by certified mail to surrender such license, shall be punished by a fine of not less than ten nor more than fifty dollars.

Approved April 8, 1959.

Chap. 176. AN ACT RELATIVE TO DEPOSITS IN SAVINGS DEPARTMENTS OF TRUST COMPANIES.

Be it enacted, etc., as follows:

SECTION 1. Section 60 of chapter 172 of the General Laws is hereby amended by striking out the last sentence, as appearing in section 2 of chapter 23 of the acts of 1951.

SECTION 2. Said chapter 172 is hereby further amended by inserting after said section 60 the following section:—*Section 60A.* Such corporation may receive deposits in its savings department, subject to the following limitations:—

1. Deposits from any person for his own account or for the accounts of one or more distinct estates or trusts, not more than ten thousand dollars for each account; and may allow interest on such deposits, and upon the interest accumulated thereon until the principal, with the accrued interest, amounts to twenty thousand dollars, and thereafter upon no greater amount than twenty thousand dollars.

2. Deposits on any joint account provided for in section fourteen of chapter one hundred and sixty-seven to the amount of twenty thousand dollars; and may allow interest on such deposits, and upon the interest accumulated thereon, until the principal, with the accrued interest, amounts to forty thousand dollars, and thereafter upon no greater amount than forty thousand dollars. Either party to a joint account also may make deposits for his individual account, but the deposits in his individual account and in all joint accounts to which he is a party shall not at any one time exceed twenty thousand dollars, exclusive of interest accumulated thereon.

Said limitations shall not apply to deposits by a religious, charitable or educational corporation or organization, a labor union, credit

union, fraternal benefit society, in the name of a judge of probate, by order of any court, on account of a sinking fund of a town in the commonwealth, or of any trust fund held by a town for public uses, or of the funds of any state, county or municipal retirement or pension system or association.

Approved April 8, 1959.

Chap. 177. AN ACT INCREASING THE AMOUNTS WHICH SAVINGS BANKS MAY RECEIVE AS DEPOSITS FOR THE ACCOUNT OF A SINGLE PERSON, ESTATE OR TRUST, AND IN JOINT ACCOUNTS.

Be it enacted, etc., as follows:

SECTION 1. Section 21 of chapter 168 of the General Laws is hereby amended by striking out paragraph 1, as appearing in section 1 of chapter 432 of the acts of 1955, and inserting in place thereof the following paragraph:—1. *Amounts Limited.*—Such corporation may receive on deposit from any person for his own account or for the accounts of one or more distinct estates or trusts, not more than ten thousand dollars for each account; and may allow interest on such deposits, and upon the interest accumulated thereon, until the principal, with the accrued interest, amounts to twenty thousand dollars, and thereafter upon no greater amount than twenty thousand dollars.

SECTION 2. Section 22 of said chapter 168, as so appearing, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:—Such corporation may receive deposits on any joint account provided for in section fourteen of chapter one hundred and sixty-seven to the amount of twenty thousand dollars, and may allow interest upon such deposits, and upon the interest accumulated thereon, until the principal, with the accrued interest, amounts to forty thousand dollars, and thereafter upon no greater amount than forty thousand dollars. Either party to a joint account also may make deposits for his individual account, but the deposits in his individual account and in all joint accounts to which he is a party shall not at any one time exceed twenty thousand dollars, exclusive of interest accumulated thereon.

Approved April 8, 1959.

Chap. 178. AN ACT RELATIVE TO THE PERSONS WHO MAY CERTIFY THAT A VOTER BY REASON OF PHYSICAL DISABILITY IS UNABLE TO CAST HIS VOTE IN PERSON.

Be it enacted, etc., as follows:

SECTION 1. Chapter 54 of the General Laws is hereby amended by striking out section 86, as most recently amended by chapter 101 of the acts of 1954, and inserting in place thereof the following section:—

Section 86. Any voter who during the hours that the polling places are open on the day of the biennial state election is absent from the city or town where he is a voter by reason of his employment in another community or for any other reason or who will be unable by reason of physical disability to cast his vote in person at the polling

place, and whose application for an official absent voting ballot has been filed with the city or town clerk as provided in section eighty-nine, or with the state secretary, and certified under section ninety-one, may vote in accordance with sections eighty-seven to one hundred and three, inclusive; provided, that a voter who is in a penal institution under sentence shall not be entitled or permitted to avail himself of the provisions of this and the seventeen following sections; and provided, further, that a voter who will be unable by reason of physical disability to cast his vote in person at the polling place shall file with the city or town clerk with his application for an official absent voting ballot a certificate executed by a registered physician, attending registered nurse, superintendent of a hospital or like institution, a practitioner of the Christian Science Church, or an ordained minister, priest, or rabbi who is personally acquainted with the voter and aware of his physical disability, stating that the voter will be unable by reason of physical disability to cast his vote in person at the polling place on the day of election.

SECTION 2. Clause (b) of section 87 of said chapter 54 is hereby amended by striking out the heading "Certificate of Physician, Hospital Superintendent, Attending Registered Nurse or Christian Science Practitioner" as appearing in section 2 of chapter 153 of the acts of 1951, and inserting in place thereof the following:—Certificate of Physician, Hospital Superintendent, Attending Registered Nurse, Ordained Minister, Priest, Rabbi, or Christian Science Practitioner.

Approved April 8, 1959.

Chap. 179. AN ACT PROVIDING THAT CO-OPERATIVE BANKS MAY MAKE REAL ESTATE LOANS TO PERSONS OTHER THAN MEMBERS.

Be it enacted, etc., as follows:

Section 24 of chapter 170 of the General Laws is hereby amended by striking out subsection 1, as appearing in section 1 of chapter 371 of the acts of 1950.

Approved April 8, 1959.

Chap. 180. AN ACT PROVIDING FOR THE ISSUANCE OF CERTAIN CERTIFICATES BY THE SECRETARY OF STATE FOR FILING IN REGISTRIES OF DEEDS AND TOWN CLERKS' OFFICES AS EVIDENCE OF MERGERS AND CONSOLIDATIONS OF CORPORATIONS.

Be it enacted, etc., as follows:

SECTION 1. The last paragraph of section 46A of chapter 156 of the General Laws, as appearing in chapter 524 of the acts of 1948, is hereby amended by inserting after the word "business", in line 7, the words:— , or, in lieu of such certified copy, a certificate issued pursuant to section forty-six F evidencing the filing of such articles with the state secretary,—so as to read as follows:—The resulting corporation shall, within twenty days of the filing of such articles with the state secretary, file a copy thereof, certified by the state secretary, in the registry of deeds in every district in which real property of the

merged corporation, association or trust is situated, and with the clerk of every town where such association or trust had a usual place of business, or, in lieu of such certified copy, a certificate issued pursuant to section forty-six F evidencing the filing of such articles with the state secretary.

SECTION 2. The sixth paragraph of section 46B of said chapter 156, as appearing in section 2 of chapter 514 of the acts of 1941, is hereby amended by inserting after the word "situated", in line 5, the words:— , or, in lieu of such certified copy, a certificate issued pursuant to section forty-six F evidencing the filing of such articles with the state secretary,—so as to read as follows:—The consolidated corporation shall within twenty days of the filing of the articles of consolidation with the state secretary file a certified copy thereof in the registry of deeds in every district in which real property of any constituent corporation is situated, or, in lieu of such certified copy, a certificate issued pursuant to section forty-six F evidencing the filing of such articles with the state secretary.

SECTION 3. The fifth paragraph of section 46D of said chapter 156, as so appearing, is hereby amended by inserting after the word "situated", in line 5, the words:— , or, in lieu of such certified copy, a certificate issued pursuant to section forty-six F evidencing the filing of such articles with the state secretary,—so as to read as follows:—The consolidated corporation shall, within twenty days of the filing of the articles of consolidation with the state secretary, file a certified copy thereof in the registry of deeds in every district in which real property of any constituent corporation is situated, or, in lieu of such certified copy, a certificate issued pursuant to section forty-six F evidencing the filing of such articles with the state secretary.

SECTION 4. Said chapter 156 is hereby further amended by inserting after section 46E the following section:—*Section 46F.* Upon payment of a fee of two dollars, the state secretary shall issue a certificate in such form as he shall prescribe, evidencing the filing in the office of the state secretary of any articles of amendment pursuant to section forty-six A, or of any articles of consolidation pursuant to section forty-six B or section forty-six D. *Approved April 8, 1959.*

Chap. 181. AN ACT INCREASING THE NUMBER OF SHARES IN A CO-OPERATIVE BANK WHICH MAY BE HELD BY A PERSON INDIVIDUALLY OR BY TWO OR MORE PERSONS AND PROVIDING THAT A CORPORATION OR TRUST MAY HOLD AS MANY OF SUCH SHARES AS TWO OR MORE PERSONS MAY HOLD.

Be it enacted, etc., as follows:

Section 16 of chapter 170 of the General Laws is hereby amended by striking out the first two paragraphs, as amended by chapter 108 of the acts of 1954, and inserting in place thereof the following two paragraphs:—

Except as otherwise provided in this chapter and in other applicable provisions of law, no person individually shall hold in any one

such corporation, at the same time, more than fifty serial shares and more than a combined total of fifty paid-up and savings shares; and no two or more persons, as provided in section fifteen, shall hold more than one hundred serial shares and more than a combined total of one hundred paid-up and savings shares, and each person so holding shares with one or more other persons also may hold shares individually, but the total amount of shares in such corporation held at the same time by such person both individually and with one or more other persons, shall not exceed one hundred serial shares and the combined total of one hundred paid-up and savings shares. Said limitations upon individual holdings shall apply to shares held by more than one fiduciary in the same estate and to shares held for each estate where the same person is fiduciary in two or more distinct estates.

The foregoing limitations upon holdings of two or more persons shall apply to shares held by the commonwealth or any political subdivision thereof, a banking institution, corporation, trust, religious, charitable, medical service or cemetery organization or corporation, labor union, credit union, or fraternal benefit society, or with respect to any one estate or proceeding in the name of a judge of probate or by order or approval of court, or on account of any fund held by any fiduciary subject to the supervision of any court, or on account of any fund held in custody or trust under the jurisdiction of the commonwealth or any political subdivision thereof, or by any public or private retirement or pension system, association, corporation or trust.

Approved April 8, 1959.

Chap. 182. AN ACT AUTHORIZING THE CITY OF MALDEN TO CONVEY A CERTAIN PARCEL OF PARK LAND THEREIN TO THE UNIVERSAL REALTY CORPORATION.

Be it enacted, etc., as follows:

The city of Malden is hereby authorized to convey to Universal Realty Corporation, a Massachusetts corporation, a certain parcel of park land containing about one hundred seventy thousand square feet and being designated on the City Engineer's Plan No. D779, subject to such easements as the city may retain for drainage purposes, in consideration of the conveyance by said Universal Realty Corporation to said city of a certain parcel of land owned by said corporation and containing approximately one hundred seventy-one thousand square feet and being bounded by Kennard street, Marion street, land of owners unknown, and by the above-mentioned land now owned by the city of Malden, as shown on said plan. Said city is authorized to make said conveyance subject to such other terms, conditions and restrictions as the mayor and city council may determine; provided, however, that the deed of said city shall contain an express condition binding upon the grantee, its successors or assigns, that no open air theatre or parking area incidental to or connected with an open air theatre shall be constructed or maintained on the land conveyed by said deed.

Approved April 8, 1959.

Chap. 183. AN ACT AUTHORIZING AND DIRECTING THE CITY OF MEDFORD TO TRANSFER CERTAIN PARK LAND TO THE MEDFORD HOUSING AUTHORITY FOR A HOUSING PROJECT FOR ELDERLY PERSONS.

Be it enacted, etc., as follows:

SECTION 1. The city of Medford through its board of park commissioners is hereby authorized and directed to transfer to the Medford Housing Authority for use as a housing project for elderly persons of low income certain park land in said city bounded and described as follows:—

Beginning at the Southeasterly corner of a tract of land on Elm Street, formerly of Samuel C. Lawrence and as bounded and described in a taking by the Town of Medford on July fifteen, eighteen eighty-nine, recorded at the Registry of Deeds, Southern District of Middlesex County, on August twelve, eighteen eighty-nine in Book No. nineteen twenty-five, Page five hundred twenty-nine, by land now or formerly of Helen E. Saville; thence the line runs North 62 degrees—09 minutes West by said land now or formerly of Helen E. Saville a distance of two hundred seven and four tenths feet (207.4'); thence, North 58 degrees—01 minute West by said land now or formerly of Helen E. Saville a distance of three hundred twenty-eight feet (328') to a corner; thence, North 27 degrees—04 minutes East by said land now or formerly of Helen E. Saville a distance of five hundred fifty feet (550'); thence North 25 degrees—26 minutes East by said land now or formerly of Helen E. Saville a distance of one hundred twenty-one and two tenths feet (121.2') to land of the Town of Medford formerly land of Tudor; thence, North 0 degrees—19 minutes East by said land of Medford a distance of one hundred and one hundredths feet (100.01'); thence North 0 degrees—01 minute West by said land of Medford a distance of two hundred and fifty feet (250'); thence North 89 degrees—59 minutes East a distance of four hundred feet (400'); thence South 23 degrees—16 minutes East a distance of five hundred and thirty feet plus or minus (530' \pm) to the North sideline of Elm Street; thence, by the Northerly sideline of Elm Street by various courses and distances to the point of beginning, or such portion thereof as may be required by the Medford Housing Authority for a project for the housing of elderly persons.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city subject to the provisions of its charter, but not otherwise.

Approved April 8, 1959.

Chap. 184. AN ACT AUTHORIZING THE CITY OF WORCESTER TO ACQUIRE THE REAL AND PERSONAL PROPERTY OF THE WORCESTER PROTECTIVE DEPARTMENT AND PROVIDING THAT CERTAIN PERSONNEL OF SAID PROTECTIVE DEPARTMENT SHALL BECOME MEMBERS OF THE WORCESTER FIRE DEPARTMENT.

Be it enacted, etc., as follows:

SECTION 1. The Worcester Protective Department, a corporation incorporated by chapter two hundred and thirty-four of the acts of

eighteen hundred and seventy-five, is hereby authorized to convey and transfer to the city of Worcester, and the city council of said city is hereby authorized in the name of and on behalf of said city to acquire for a nominal sum, all the property, real and personal, of said Worcester Protective Department as shown on an inventory furnished the Worcester fire department on June twenty-third, nineteen hundred and fifty-eight. Upon the acquisition and transfer of said property, the city council shall provide by ordinance or order for the management and operation of the same.

SECTION 2. Upon the acquisition and transfer of said property, as provided for in section one, the following personnel of the Worcester Protective Department, namely, Lieutenant Francis A. Leland, Privates Carl B. Reynolds, Warren E. Nelson, Francis X. Quinn, Henry F. Hines, Edward J. Dickinson, Joseph R. Ambrose, Leon H. Winchester, Charles J. Collins, Andrew J. Yess, Paul J. Greaney, Edward L. Metterville, Edward E. Nelson, John J. Foley, John J. Halloran, shall become members of the Worcester fire fighting force, subject to a qualifying examination by the division of civil service, and shall have the same sick leave, vacation, seniority, promotion, employment and pension rights as any new employee of the city of Worcester, and shall be subject to transfer and assignment to any duties within the Worcester fire department as the chief engineer of the said department may determine, but shall retain their classification, insofar as practicable under the civil service laws and rules relating to classification, and rate of pay received by them as members of the Worcester Protective Department on the date of the acquisition and transfer of said property, as provided for in section one.

SECTION 3. This act shall take effect upon its passage.

Approved April 13, 1959.

Chap. 185. AN ACT VALIDATING THE ACTION TAKEN BY THE TOWN OF OAK BLUFFS IN WITHDRAWING FROM THE MOSQUITO CONTROL PROJECT IN THE COUNTY OF DUKES COUNTY.

Be it enacted, etc., as follows:

SECTION 1. The action of the town of Oak Bluffs in withdrawing from membership in the mosquito control project established in the county of Dukes County, in accordance with the provisions of section three of chapter three hundred and seventy-one of the acts of nineteen hundred and fifty-seven, taken at the annual town meeting held on February eleventh, nineteen hundred and fifty-nine, and at any adjourned session thereof, and all acts done pursuant to such action, are hereby ratified, validated and confirmed in all respects, notwithstanding any defect or omission in the warning of such meeting, to the same extent as if such meeting had been duly warned in all respects.

SECTION 2. This act shall take effect upon its passage.

Approved April 13, 1959.

Chap. 186. AN ACT POSTPONING THE EFFECTIVE DATE OF THE LAW REQUIRING PLANS, SPECIFICATIONS, PLATS AND REPORTS PREPARED BY PROFESSIONAL ENGINEERS OR LAND SURVEYORS TO BE STAMPED WITH A SEAL WHEN FILED WITH PUBLIC AUTHORITIES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to forthwith postpone the effective date of the law requiring plans, specifications, plats and reports prepared by professional engineers or land surveyors to be stamped with a seal when filed with public authorities, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Notwithstanding any provision of section eighty-one M of chapter one hundred and twelve of the General Laws to the contrary, plans, specifications, plats and reports prepared by professional engineers or land surveyors whether or not registered under the provisions of said chapter one hundred and twelve shall not, until January first, nineteen hundred and sixty, be required to be stamped with a seal when the same are filed with public authorities.

Approved April 13, 1959.

Chap. 187. AN ACT FURTHER INCREASING THE AMOUNT OF WAGES EXEMPT FROM ATTACHMENT BY TRUSTEE PROCESS AND MAKING A CERTAIN CORRECTIVE CHANGE RELATIVE TO TRUSTEE PROCESS.

Be it enacted, etc., as follows:

SECTION 1. Section 28 of chapter 246 of the General Laws is hereby amended by striking out the first sentence, as appearing in chapter 155 of the acts of 1956, and inserting in place thereof the following sentence:—If wages for personal labor or personal services of a defendant are attached for a debt or claim, an amount not exceeding fifty dollars out of the wages then due to the defendant for labor performed or services rendered during each week for which such wages were earned but not paid shall be reserved in the hands of the trustee and shall be exempt from such attachment.

SECTION 2. Section 32 of said chapter 246 is hereby amended by striking out paragraph First, as appearing in the Tercentenary Edition, and inserting in place thereof the following paragraph:—First, By reason of having drawn, accepted, made or endorsed a negotiable bill, draft, note or other security which at the date of the writ was negotiable to a holder in due course under the provisions of chapter one hundred and six.

SECTION 3. This act shall take effect on January first, nineteen hundred and sixty and shall apply only to actions begun on and after said date.

Approved April 13, 1959.

Chap. 188. AN ACT TO CONSOLIDATE HALE HOUSE ASSOCIATION, HARRIET TUBMAN HOUSE, INC., LINCOLN HOUSE ASSOCIATION, THE CHILDREN'S ART CENTRE, INC., AND THE SOUTH END HOUSE ASSOCIATION.

Be it enacted, etc., as follows:

SECTION 1. Hale House Association, incorporated under chapter one hundred and fifteen of the Public Statutes, Harriet Tubman House, Inc., incorporated under chapter one hundred and twenty-five of the Revised Laws, Lincoln House Association, incorporated under chapter one hundred and fifteen of the Public Statutes, The Children's Art Centre, Inc., formerly Settlements Museum Association, incorporated under chapter one hundred and twenty-five of the Revised Laws, and The South End House Association, incorporated under chapter one hundred and fifteen of the Public Statutes, and any two or more of them, are hereby authorized to consolidate into one corporation under the name of United South End Settlements which shall in all respects be a continuation of and shall have all the powers, privileges and exemptions of each of said existing consolidating corporations, and shall be subject to all the duties, liabilities and restrictions provided by law in so far as they relate to the said existing consolidating corporations.

SECTION 2. Upon such consolidation, all property, real and personal, and all rights and interests, legal or equitable, of said existing consolidating corporations and all devises, bequests, conveyances and gifts heretofore and hereafter made to or for any of said existing consolidating corporations shall vest in or for the benefit of said consolidated corporation and otherwise shall be held by said consolidated corporation subject to the same terms, conditions, limitations and trusts as they are now held by said existing consolidating corporations or would have been held by said existing consolidating corporations but for this act, and the treasurers of said existing consolidating corporations are hereby respectively authorized to execute and deliver all papers and documents that they may deem necessary or proper for the purpose of confirming in the consolidated corporation the record title to the property of the existing consolidating corporations.

SECTION 3. Upon such consolidation the members of the existing consolidating corporations shall be the members of the consolidated corporation until such time as the consolidated corporation may, by an amendment to its by-laws, provide for a different membership, and the members of the joint board of directors and the officers of the existing Federation of South End Settlements, an unincorporated association with offices at twenty Union Park, Boston, Massachusetts, shall be, until their successors are chosen and qualified, the members of the board of directors and the officers of the consolidated corporation which shall, except as herein provided with respect to the initial membership and name, be governed by the by-laws of The South End House Association in effect at the time of consolidation, until amended by the consolidated corporation.

SECTION 4. Upon the acceptance of this act within one year after its passage by two or more of the existing corporations at meetings duly called for the purpose, duly certified copies of the respective

votes of acceptance shall be filed in the registry of deeds for Suffolk county and the consolidation of the corporations so accepting this act shall thereupon be complete. Nothing herein shall affect any existing corporation not so accepting this act.

SECTION 5. Whatever right or authority is granted or conferred by this act is hereby declared to be limited to such authority or right as the general court may constitutionally grant or confer, without prejudice to any proceeding that may be instituted in any court of competent jurisdiction to effect the purposes of this act.

SECTION 6. The United South End Settlements may hold real and personal estate to an amount not exceeding ten million dollars.

Approved April 13, 1959.

Chap. 189. AN ACT RELATIVE TO THE APPROVAL OR DISAPPROVAL OF PRELIMINARY PLANS BY A PLANNING BOARD UNDER THE SUBDIVISION CONTROL LAW AND RELATIVE TO NOTICE THEREOF.

Be it enacted, etc., as follows:

Chapter 41 of the General Laws is hereby amended by striking out section 81S, as most recently amended by section 2 of chapter 206 of the acts of 1958, and inserting in place thereof the following section:—
Section 81S. Any person, before submitting his definitive plan for approval, may submit to the planning board and to the board of health, a preliminary plan, and shall give written notice to the clerk of such city or town by delivery or by registered mail, postage prepaid, that he has submitted such a plan. If the notice is given by delivery the city or town clerk shall, if requested, give a written receipt therefor. Within sixty days after submission of a preliminary plan each board shall tentatively approve such preliminary plan with or without modifications suggested by it or agreed upon by the person submitting the plan or shall disapprove such preliminary plan, and, in the case of disapproval, shall state its reasons therefor. The planning board shall notify the city or town clerk of its approval or disapproval, as the case may be. Except as is otherwise expressly provided, the provisions of the subdivision control law relating to a plan shall not be applicable to a preliminary plan, and no register of deeds shall record a preliminary plan.

Approved April 13, 1959.

Chap. 190. AN ACT CLARIFYING THE MINIMUM WAGE LAW WITH RESPECT TO ITS APPLICABILITY TO PROFESSIONAL SERVICES.

Be it enacted, etc., as follows:

The paragraph defining "Occupation" in section 2 of chapter 151 of the General Laws, as most recently amended by chapter 174 of the acts of 1954, is hereby further amended by inserting after the word "include", in line 4, the words:—professional service.

Approved April 13, 1959.

Chap. 191. AN ACT AUTHORIZING THE PAYMENT BY THE METHUEN FIREFIGHTERS' RELIEF ASSOCIATION, INC. OF CERTAIN BENEFITS TO CERTAIN MEMBERS UPON THEIR RETIREMENT FROM THE FIRE DEPARTMENT OF THE TOWN OF METHUEN.

Be it enacted, etc., as follows:

Any member of the Methuen Firefighters' Relief Association, Inc., a corporation duly organized under the laws of the commonwealth, who ceases to be a member of the Methuen fire department by reason of being retired shall, at his request, within sixty days of his retirement, be paid from the funds of said association a sum of money equal to the death benefit provided by its by-laws and he shall thereupon cease to be a member of said association and shall no longer be entitled to any benefits therefrom; provided, however, that if said member does not make such a request within sixty days of his retirement he shall remain a member of said association and upon his death, said death benefit shall be payable to any beneficiary previously designated by him. In the absence of the designation of a beneficiary said death benefit shall be paid to his heirs at law. *Approved April 13, 1959.*

Chap. 192. AN ACT DESIGNATING THE SOFTBALL FIELD IN THE STONY BROOK RESERVATION AS THE SAMUEL S. GELEWITZ FIELD.

Be it enacted, etc., as follows:

The newly constructed softball field located in the Stony Brook reservation in the Hyde Park district of the city of Boston shall be known and designated as the Samuel S. Gelewitz Field, in commemoration of Samuel S. Gelewitz, a deceased war veteran, and a suitable tablet or marker bearing such designation shall be erected thereat by the metropolitan district commission. *Approved April 13, 1959.*

Chap. 193. AN ACT PROHIBITING THE BUILDING COMMISSIONER OF THE CITY OF BOSTON FROM ISSUING CERTAIN BUILDING PERMITS WHILE AN APPEAL IS PENDING AND REDUCING THE APPEAL PERIOD TO THIRTY DAYS.

Be it enacted, etc., as follows:

Section 3 of chapter 488 of the acts of 1924 is hereby amended by striking out paragraph (3), as most recently amended by section 1 of chapter 143 of the acts of 1952, and inserting in place thereof the following paragraph:—

(3) Educational, religious, philanthropic or other institutional uses, provided that in the case of a hospital, home for aged, convalescent home, sanitarium, correctional institution or similar use the health commissioner of Boston and building commissioner of Boston approve the location as not detrimental or injurious to the residential character of the neighborhood after public notice and hearing; and provided, further, that any person aggrieved by a decision of said commissioners may, within thirty days after notice thereof, appeal therefrom as provided in section nineteen; and provided further, that no permit for construction shall be issued during the appeal period herein provided; .

Approved April 13, 1959.

Chap. 194. AN ACT RELATIVE TO THE PAYMENT BY THE FALL RIVER POLICE RELIEF ASSOCIATION OF SUMS OF MONEY TO RETIRED MEMBERS OF THE ASSOCIATION AND AUTHORIZING THE PAYMENT OF CERTAIN DEATH BENEFITS.

Be it enacted, etc., as follows:

The Fall River Police Relief Association, a corporation duly established under the laws of the commonwealth, is hereby authorized, upon the retirement of any member in good standing from the police department of the city of Fall River, to pay such member such sum, not exceeding five hundred dollars, as may be determined by vote of the board of directors of said corporation. Said association is hereby further authorized to pay to a member upon the death of his wife such sum, not exceeding five hundred dollars, as may be determined by said board, and upon the death of a member to pay a death benefit in such sum, not exceeding five thousand dollars, as may be determined by vote of said board.

Approved April 13, 1959.

Chap. 195. AN ACT AUTHORIZING PAYMENT OF INTEREST BY CO-OPERATIVE BANKS ON CERTAIN AMOUNTS DEPOSITED IN SAVINGS SHARE ACCOUNTS.

Be it enacted, etc., as follows:

Subsection 3 of section 13 of chapter 170 of the General Laws, as appearing in section 1 of chapter 371 of the acts of 1950, is hereby amended by striking out paragraph (c) and inserting in place thereof the following paragraph:—

(c) There shall be credited to each savings share account of ten dollars or more at every distribution date applicable to savings shares, interest on such rate basis as the directors from time to time may determine, not exceeding the dividend rate payable upon paid-up shares, computed without regard to fractions of a dollar; provided, that interest shall not be credited on amounts withdrawn between distribution dates, and shall be credited upon amounts deposited from and after the bank day next following, and may be credited upon amounts deposited within ten days subsequent to the preceding bank day.

Approved April 13, 1959.

Chap. 196. AN ACT RELATIVE TO MEMBERSHIP IN THE CO-OPERATIVE BANKS EMPLOYEES RETIREMENT ASSOCIATION AND TO THE PAYMENT OF ANNUITIES OR PENSIONS TO CERTAIN MEMBERS THEREOF.

Be it enacted, etc., as follows:

SECTION 1. Chapter 170 of the General Laws is hereby amended by striking out section 51, as most recently amended by chapter 109 of the acts of 1954, and inserting in place thereof the following section:—*Section 51.* Fifteen or more co-operative banks may form the Co-operative Banks Employees Retirement Association, in this section and in sections fifty-two and fifty-three called the association, for the

purpose of providing pensions for eligible employees of the participating banks who retire on account of age or disability.

All co-operative banks established under the laws of the commonwealth, the Co-operative Bank League of Massachusetts, the Co-operative Banks Employees Retirement Association, The Co-operative Central Bank, and such other Massachusetts co-operative bank organizations as from time to time may be provided for in the by-laws of the association, and such of the respective employees of each of the foregoing as may be provided by such by-laws, shall be eligible for membership in the association. For the purposes of this section and sections fifty-two and fifty-three a reference to "bank" or "banks" shall, unless the context otherwise requires, mean and include any or all of the organizations named or referred to in this paragraph, and a reference to "board of directors" of a bank shall also, unless the context otherwise requires, mean and include the governing body of each of such organizations.

Eligible employees may contribute a portion of their salaries or wages, to be deducted by the employing banks and paid to the association. A participating bank may contribute to the funds of the association to the extent determined by its board of directors, but its contributions for future service, as defined in the by-laws, on account of any employee shall not exceed such employee's contributions or five per cent of his salary or wages, whichever is less, and an additional amount of not more than five per cent of that part of such employee's annual salary or wages which is not in excess of ten thousand dollars. A participating bank may also contribute for past service, as defined in the by-laws, amounts necessary to provide eligible employees with an annuity or pension to begin at age sixty-five or later, such annuity or pension not to exceed one and one half per cent of the average salary for the five years preceding the date such bank joins the association for each year, but not exceeding twenty-five years, of continuous employment between age thirty and the date of such joining. If upon retirement after December thirty-first, nineteen hundred and fifty-eight from a participating bank of an employee eligible for retirement under the by-laws of the association (a) the annuity or pension provided by contributions from any and all banks, as defined in the second paragraph of this section, to the association or to any retirement plan established by any such bank pursuant to chapter two hundred and eighty-three of the acts of nineteen hundred and forty-eight, as amended, for the benefit of such employee on account of past and future service plus one half of his primary social security benefit shall, in the aggregate, be less than (b) an amount equal to two per cent of such employee's average salary for the five years preceding the date of his retirement for each year of his service with any and all banks as so defined, not exceeding twenty-five years, such participating bank, through the association, may provide such employee, upon his retirement after December thirty-first, nineteen hundred and fifty-eight, with a supplemental annuity or pension in monthly or other periodic instalments not exceeding in any one year the difference obtained by subtracting the annual total of (a) from the annual total of (b) above provided, and to give effect to the foregoing provisions of this sentence, such participating bank, at any time

before or after such employee's retirement, may contribute to the funds of the association such amounts as may be necessary to provide such supplemental annuity or pension. No supplemental annuity or pension shall be paid under the provisions of the preceding sentence to any employee retiring after March first, nineteen hundred and sixty-four unless such employee shall retire or be retired from the employ of the participating bank not more than five years after attaining his normal retirement age as defined in the by-laws of the association.

In the event that any employee who has been continuously in the employ of such a bank for ten years or more becomes incapacitated for further service by reason of physical or mental disability before age sixty-five, the employing bank may pay him a pension in an amount not to exceed two per cent of his average salary for the five years preceding the date of retirement for each year, not exceeding twenty-five years, of continuous service with any and all banks as defined in the second paragraph of this section. Any pension paid on account of disability may be discontinued at any time by the board of directors of the employing bank, and shall be discontinued when any such pensioner substantially recovers his earning capacity.

The funds contributed by participating banks and member employees shall be held or used by the trustees of the association for the purchase of annuities or payment of pensions to eligible employees upon their retirement from service, for the payments to beneficiaries or representatives of any member employee of the participating bank dying before reaching the age of retirement, and for the payment to any such employee retiring from service before becoming entitled to a pension or annuity. Expenses necessary for the administration of the association shall be paid by participating banks, on a proportionate basis as provided in the by-laws.

No annuity or pension provided by contributions from any and all banks, as defined in the second paragraph of this section, for the benefit of any employee of such a bank on account of past and future service and on account of supplemental and disability benefits hereinbefore provided in this section, shall exceed, in the aggregate, three fourths of the first five thousand dollars of his average salary for the five years preceding the date of retirement, one half of the next ten thousand dollars of such average salary, and one fourth of any additional amount of such average salary.

SECTION 2. If any paragraph, clause, sentence or other provision of this act is held unconstitutional or invalid, the remainder of the act shall not be affected thereby.

Approved April 13, 1959.

Chap. 197. AN ACT RELATIVE TO MEMBERSHIP IN THE SAVINGS BANKS EMPLOYEES RETIREMENT ASSOCIATION AND TO THE PAYMENT OF ANNUITIES OR PENSIONS TO CERTAIN MEMBERS THEREOF.

Be it enacted, etc., as follows:

SECTION 1. Chapter 168 of the General Laws is hereby amended by striking out section 74, as appearing in section 1 of chapter 432 of the acts of 1955, and inserting in place thereof the following sec-

tion:—*Section 74.* Fifteen or more savings banks may form the Savings Banks Employees Retirement Association, in this section and in sections seventy-five and seventy-six called the association, for the purpose of providing pensions for eligible employees of the participating banks who retire on account of age or disability.

All savings banks established under the laws of the commonwealth, the Savings Banks Association of Massachusetts, the Savings Banks Employees Retirement Association, the Mutual Savings Central Fund, Inc., the Savings Bank Life Insurance Council, and such other Massachusetts savings bank organizations as from time to time may be provided for in the by-laws of the association, and such of the respective employees of each of the foregoing as may be provided by such by-laws, shall be eligible for membership in the association. For the purposes of this section and sections seventy-five and seventy-six a reference to "bank" or "banks" shall, unless the context otherwise requires, mean and include any or all of the organizations named or referred to in this paragraph, and a reference to "trustees" of a bank shall also, unless the context otherwise requires, mean and include the governing body of each of such organizations.

Eligible employees may contribute a portion of their salaries or wages, to be deducted by the employing banks and paid to the association. A participating bank may contribute to the funds of the association to the extent determined by its trustees, but its contributions for future service, as defined in the by-laws, on account of any employee shall not exceed such employee's contributions or five per cent of his salary or wages, whichever is less, and an additional amount of not more than five per cent of that part of such employee's annual salary or wages which is not in excess of ten thousand dollars. A participating bank may also contribute for past service, as defined in the by-laws, amounts necessary to provide eligible employees with an annuity or pension to begin at age sixty-five or later, such annuity or pension not to exceed one and one half per cent of the average salary for the five years preceding the date such bank joins the association for each year, but not exceeding twenty-five years, of continuous employment, between age thirty and the date of such joining. If upon retirement after December thirty-first, nineteen hundred and fifty-eight from a participating bank of an employee eligible for retirement under the by-laws of the association (a) the annuity or pension provided by contributions from any and all banks, as defined in the second paragraph of this section, to the association or to any retirement plan established by any such bank pursuant to chapter two hundred and eighty-three of the acts of nineteen hundred and forty-eight, as amended, for the benefit of such employee on account of past and future service plus one half of his primary social security benefit shall, in the aggregate, be less than (b) an amount equal to two per cent of such employee's average salary for the five years preceding the date of his retirement for each year of his service with any and all banks as so defined, not exceeding twenty-five years, such participating bank, through the association, may provide such employee, upon his retirement after December thirty-first, nineteen hundred and fifty-eight, with a supplemental annuity or pension in monthly or other periodic instalments not exceeding in any one year the differ-

ence obtained by subtracting the annual total of (a) from the annual total of (b) above provided; and to give effect to the foregoing provisions of this sentence, such participating bank, at any time before or after such employee's retirement, may contribute to the funds of the association such amounts as may be necessary to provide such supplemental annuity or pension. No supplemental annuity or pension shall be paid under the provisions of the preceding sentence to any employee retiring after March first, nineteen hundred and sixty-four unless such employee shall retire or be retired from the employ of the participating bank not more than five years after attaining his normal retirement age as defined in the by-laws of the association.

In the event that any employee who has been continuously in the employ of such a bank for ten years or more becomes incapacitated for further service by reason of physical or mental disability before age sixty-five, the employing bank may pay him a pension in an amount not to exceed two per cent of his average salary for the five years preceding the date of retirement for each year, not exceeding twenty-five years, of continuous service with any and all banks as defined in the second paragraph of this section. Any pension paid on account of disability may be discontinued at any time by the trustees of the employing bank, and shall be discontinued when any such pensioner substantially recovers his earning capacity.

The funds contributed by participating banks and member employees shall be held or used by the trustees of the association for the purchase of annuities or payment of pensions to eligible employees upon their retirement from service, for the payments to beneficiaries or representatives of any member employee of the participating bank dying before reaching the age of retirement, and for the payment to any such employee retiring from service before becoming entitled to a pension or annuity. Expenses necessary for the administration of the association shall be paid by participating banks, on a proportionate basis as provided in the by-laws.

No annuity or pension provided by contributions from any and all banks, as defined in the second paragraph of this section, for the benefit of any employee of such a bank on account of past and future service and on account of supplemental and disability benefits hereinbefore provided in this section, shall exceed, in the aggregate, three fourths of the first five thousand dollars of his average salary for the five years preceding the date of retirement, one half of the next ten thousand dollars of such average salary, and one fourth of any additional amount of such average salary.

SECTION 2. If any paragraph, clause, sentence or other provision of this act is held unconstitutional or invalid, the remainder of the act shall not be affected thereby.

Approved April 13, 1959.

Chap. 198. AN ACT AUTHORIZING THE COUNTY OF FRANKLIN TO PAY A CERTAIN BILL INCURRED BY IT.

Be it enacted, etc., as follows:

SECTION 1. The treasurer of Franklin county is hereby authorized to pay from funds available therefor the sum of eleven hundred and thirty-four dollars and seventy-five cents to Bernard H. Walbridge in

satisfaction of his claim for services performed in binding, re-binding and repairing certain volumes of records in the registry of deeds for said county, notwithstanding the fact that said claim is legally unenforceable by reason of the failure of the board of county commissioners to comply with the provisions of section seventeen of chapter thirty-four of the General Laws.

SECTION 2. This act shall take effect upon its passage.

Approved April 15, 1959.

Chap. 199. AN ACT AUTHORIZING THE INDUSTRIAL ACCIDENT BOARD TO REQUIRE THAT PAYMENT FOR CERTAIN SPECIFIC INJURIES BE MADE IN A BULK SUM.

Be it enacted, etc., as follows:

The last paragraph of section 36 of chapter 152 of the General Laws, added by chapter 64 of the acts of 1953, is hereby amended by striking out, in line 1, the word "may" and inserting in place thereof the word:—shall,—so as to read as follows:—The weekly payments provided for in this section shall at the discretion of the board or any member thereof be paid to the employee in a bulk sum. Nothing in this section shall adversely affect the employee's right to any compensation which is or may become due under the provisions of this or any other section.

Approved April 15, 1959.

Chap. 200. AN ACT PROVIDING FOR THE ADMISSIBILITY IN EVIDENCE OF RECORDS OF DISPENSARIES OR CLINICS, AND SANATORIA.

Be it enacted, etc., as follows:

Chapter 233 of the General Laws is hereby amended by striking out section 79, as most recently amended by section 1 of chapter 206 of the acts of 1957, and inserting in place thereof the following section:—
Section 79. Records kept by hospitals, dispensaries or clinics, and sanatoria under section seventy of chapter one hundred and eleven shall be admissible, and records which the court finds are required to be kept by the laws of any other state or territory, or the District of Columbia, or by the laws and regulations of the United States of America pertaining to the department of national defense and the veterans administration, by hospitals, dispensaries or clinics, and sanatoria similarly conducted or operated or which, being incorporated, offer treatment free of charge, may be admitted by the court, in its discretion, as evidence in the courts of the commonwealth so far as such records relate to the treatment and medical history of such cases and the court may, in its discretion, admit copies of such records, if certified by the persons in custody thereof to be true and complete; but nothing therein contained shall be admissible as evidence which has reference to the question of liability. Copies of photographic or microphotographic records so kept by hospitals, dispensaries or clinics, or sanatoria, when duly certified by the person in charge of the hospital, dispensary or clinic, or sanatorium, shall be admitted in evidence equally with the original photographs or microphotographs.

A record kept by any hospital, dispensary or clinic, or sanatorium under section seventy of chapter one hundred and eleven which is required to be produced in court by any party shall be certified by the affidavit of the person in custody thereof to be a true and complete record, and shall be delivered by such hospital, dispensary or clinic, or sanatorium to the clerk of such court, who shall keep the same in his custody until its production is called for at the trial or hearing by the party requiring the said record. Such record, so certified and delivered shall be deemed to be sufficiently identified to be admissible in evidence if admissible in all other respects. The party requiring the production of said record and, in the discretion of the court, any other party may examine said record in the custody of the clerk at any time before it is produced in court. The clerk upon the completion of such trial or hearing shall notify such hospital, dispensary or clinic, or sanatorium that said record is no longer required and will be returned to any authorized representative of the hospital, dispensary or clinic, or sanatorium calling for the same at the office of said clerk.

Approved April 15, 1959.

Chap. 201. AN ACT ESTABLISHING A MINIMUM SIZE FOR OYSTERS THAT MAY BE TAKEN OR POSSESSED EXCEPT FOR SEEDING PURPOSES.

Be it enacted, etc., as follows:

Chapter 130 of the General Laws is hereby amended by striking out section 69, as amended by section 6 of chapter 98 of the acts of 1945, and inserting in place thereof the following section:—*Section 69.* Whoever takes or has in possession quahaugs or soft-shelled clams less than two inches in longest diameter or oysters less than three inches in longest diameter, hereinafter referred to as seed quahaugs, seed clams or seed oysters, to the amount of more than five per cent of any batch shall be punished by a fine of not less than five nor more than fifty dollars or by imprisonment for not more than thirty days; provided, that it shall not be unlawful to take seed quahaugs, seed clams or seed oysters or have the same in possession under authority of a permit therefor, which the director is hereby authorized to grant, for replanting in waters or flats within the commonwealth.

Approved April 15, 1959.

Chap. 202. AN ACT RELATIVE TO THE CONVERSION OF SAVINGS BANKS OR SAVINGS AND LOAN ASSOCIATIONS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 168 of the General Laws is hereby amended by inserting after section 73 the following section:—*Section 73A.* Any such corporation may upon a majority vote of its board of investment, petition the board of bank incorporation for authority to surrender its charter in order to accept a savings bank charter from the federal government. If the board of bank incorporation determines that public convenience and advantage will be promoted thereby, it shall grant such authority, which grant shall be valid for

one year from the date thereof. Upon the receipt of such petition, said board shall assign a date and place for a public hearing thereon and shall furnish such corporation a form of notice relative thereto. Such corporation shall publish the notice at least once a week for three successive weeks in one or more newspapers designated by said board and published in the town wherein the main office of such corporation is located or, if there is no newspaper in said town, in the town wherein a newspaper is published and which is nearest to the location of the main office of such corporation. If the board refuses to approve such petition, no further proceeding thereon, except as authorized by chapter thirty A, shall be had, but the petition may be renewed after one year from the date of the refusal, in which case notice of a public hearing thereon shall be published as hereinbefore provided. If the board grants approval of said petition, the state charter of said bank shall become void provided: (1) the action of said board of investment in filing such petition has been approved by an affirmative vote of two thirds of the corporators at the annual meeting, or at a meeting specially called for the purpose, and by an affirmative vote of two thirds of the trustees at a regular meeting or at a meeting specially called for the purpose, and (2) the commissioner has been notified in writing by the federal supervisory authority that such corporation has been granted a federal charter.

Upon the acceptance by such corporation of a federal charter, it shall cease to be a member bank in the Mutual Savings Central Fund, Inc., and shall be entitled to receive from the Mutual Savings Central Fund, Inc. an amount not to exceed the actual deposits made by it pursuant to the provisions of section four of chapter forty-four of the acts of nineteen hundred and thirty-two, as amended, less its indebtedness, if any, to said Mutual Savings Central Fund, Inc. All amounts required to be paid by the corporation pursuant to the provisions of section one of chapter forty-three of the acts of nineteen hundred and thirty-four, as amended, shall be retained by the Mutual Savings Central Fund, Inc. as a charge for the insurance of the deposits of such corporation while it was a member bank. Such corporation shall, however, participate in any distribution made under the provisions of section ten of said chapter forty-three, but such distribution shall be limited to an amount equal to the amount the corporation would have received had the Deposit Insurance Fund been liquidated at the time such corporation accepted its federal charter.

SECTION 2. Section 34 of chapter 93 of the General Laws, as appearing in the Terecentenary Edition, is hereby amended by adding at the end the following sentence:—The provisions of section forty-nine of chapter one hundred and seventy shall govern such associations where applicable.

Approved April 15, 1959.

Chap. 203. AN ACT REORGANIZING THE PUBLIC SAFETY COMMISSION OF THE CITY OF BOSTON AND EXTENDING ITS FUNCTION.

Be it enacted, etc., as follows:

SECTION 1. There shall be in the administrative services department of the city of Boston, or in such other department of said city

as the city council of said city with the approval of the mayor of said city shall from time to time determine, a board, known as the public safety commission, consisting of the director of administrative services, the director of civil defense, the building commissioner, the fire commissioner, the health commissioner, the police commissioner, the public works commissioner, the traffic commissioner, and the superintendent of schools of said city, *ex officio*s. It shall be the duty of said commission to co-ordinate the work of all departments of said city concerned with public safety to the end that there may be efficient and concerted action by said departments, particularly in times of emergency and disaster. Said commission shall meet at least once each month, at the call of the director of administrative services, for the purpose of discharging said duty.

SECTION 2. There shall be in the building department of said city a committee of said public safety commission, known as the committee on licenses, consisting of the building commissioner, the fire commissioner, and the traffic commissioner, *ex officio*s. Said committee shall have the powers and perform the duties conferred or imposed on the board of street commissioners by chapter one hundred and forty-eight of the General Laws and by chapter five hundred and seventy-seven of the acts of nineteen hundred and thirteen, chapter four hundred and eighty-eight of the acts of nineteen hundred and twenty-four, and chapter three hundred and forty-nine of the acts of nineteen hundred and fifty-three, and all acts in amendment thereof.

SECTION 3. This act shall take effect upon its acceptance by the city council of the city of Boston in accordance with the provisions of its charter. Upon such acceptance section eight of chapter nine of the Revised Ordinances of 1947 of said city, as amended, shall be deemed to be repealed.

Approved April 15, 1959.

Chap. 204. AN ACT AUTHORIZING THE CITY OF BEVERLY TO PAY SUMS OF MONEY TO WILLIAM DEVITT, ALICE P. HUSON, BAYARD D. HUSON, LAWRENCE LAPOINTE, MARIE AND ANTHONY VACCARO AND CLIFFORD M. AND HENRIETTA C. CAVERLY.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of discharging a moral obligation, the city of Beverly may appropriate and pay to William Devitt, twenty-five hundred dollars, Alice P. Huson, sixty-five hundred dollars, Bayard D. Huson, one thousand dollars, Lawrence LaPointe, one hundred and fifty dollars, Marie and Anthony Vaccaro, fifty-five dollars and fifty cents, and Clifford M. and Henrietta C. Caverly one thousand forty-two dollars and forty-two cents, all of said Beverly, in full settlement of law suits brought by them against employees of the city for damages to their property caused by the removal of a public shade tree.

SECTION 2. This act shall take effect upon its acceptance by a majority vote of the city council with the approval of the mayor of said city, subject to the provisions of its charter, but not otherwise.

Approved April 15, 1959.

Chap. 205. AN ACT PROVIDING FOR THE ISSUANCE OF CERTAIN NUMBER PLATES FOR MOTOR VEHICLES OF COUNTY SHERIFFS DEPARTMENTS.

Be it enacted, etc., as follows:

The seventh paragraph of section 2 of chapter 90 of the General Laws, as most recently amended by chapter 274 of the acts of 1958, is hereby further amended by inserting after the word "board", the first time it appears in line 8, the words:—or by the sheriff's office of any county,—and by striking out, in said line 8, the words "or board" and inserting in place thereof the words:— , board or office.

Approved April 15, 1959.

Chap. 206. AN ACT REGULATING THE METHODS OF TAKING SHAD.

Be it enacted, etc., as follows:

Chapter 130 of the General Laws is hereby amended by inserting after section 100B the following section:—*Section 100C.* No person shall take, or attempt to take, with or by use of a net, seine or other contrivance of any kind or description, except by hook and line, any shad within the jurisdiction of the commonwealth; provided, that it shall not be a violation of this section for any person to take shad by means of such seine, net or other contrivance, while fishing for other fish for the catching of which the use of such seine, net or other contrivance is permitted, if such shad is immediately returned alive to the waters from which taken; and provided, further, that this section shall not affect the taking of such fish in fish traps authorized under authority of section twenty-nine, provided that such traps may be examined by the director or a person designated by him in writing. If it appears, after such examination, that such trap is constructed or operated for the primary purpose of taking shad, the director, after a hearing, may in writing order the licensee to alter the construction or operation of such trap. Any licensee who fails to so alter such trap within forty-eight hours after such order has been received shall be punished by a fine of not less than one hundred dollars for each day or part thereof that such trap remains in operation contrary to such order.

Whoever violates any provision of this section for which no other penalty is provided shall be punished by a fine of not less than twenty-five nor more than fifty dollars.

Approved April 15, 1959.

Chap. 207. AN ACT PROVIDING THAT THE SELECTMEN OF THE TOWN OF SOUTHBOROUGH SHALL CONSTITUTE A BOARD OF PUBLIC WORKS, WHICH BOARD SHALL EXERCISE THE POWERS OF CERTAIN OTHER BOARDS, DEPARTMENTS AND OFFICES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 127 of the acts of 1952 is hereby repealed.

SECTION 2. There shall be established in the town of Southborough

a board of public works, and the board of selectmen shall act as such board of public works. The members of the said board shall forthwith, after each annual town election, elect one of their members as chairman to serve until the next annual town election. The members of the said board of public works shall receive such compensation for their services as the town may determine.

SECTION 3. Upon the date when this act becomes fully effective the board shall have the powers, rights and duties now or from time to time vested by general or special law in the following boards, departments and offices in said town, to wit: water commissioners, highway department, including the superintendent of streets, cemetery commissioners, park department, moth department, and tree warden, and such boards, departments and offices shall thereupon be abolished. In addition, the board is hereby authorized to and shall assume all powers, rights, duties and liabilities with respect to the collection and disposal of garbage in said town. No contracts or liabilities in force on the date when this act becomes fully effective shall be affected, but the board shall in all respects be the lawful successor of the boards, departments and offices so abolished.

SECTION 4. The board shall appoint a superintendent of public works and fix his compensation. He shall be a competent civil engineer, being especially fitted by training and experience to perform the duties of said office. He may or may not be a resident of the town. The superintendent shall exercise and perform under the supervision and direction of the board, such of the powers, rights and duties transferred to it under section three as it may from time to time designate. The superintendent shall be responsible for the efficient exercise and performance of such powers, rights and duties. The board by a majority vote may at any time remove the superintendent for cause after a hearing or an opportunity therefor, provided a written statement setting forth specific reasons for such removal is filed with the town clerk and a copy thereof delivered to or sent by registered mail to said superintendent at least five days before the date of said proposed hearing. The action of the board shall be final. No member of the board shall be eligible for appointment as such superintendent of public works. During his tenure, the superintendent shall hold no elective or other appointive office, nor shall he be engaged in any other business or occupation. The superintendent shall, subject to the approval of the board, appoint such assistants, agents and employees as the exercise and performance of his powers, rights and duties may require and may remove them, subject to the approval of the board. He shall keep full and complete records of the doings of his office and render to the board as often as it may require a full report of all operations under his control during the period reported upon; and annually and from time to time as required by the board, he shall make a synopsis of such reports for publication, including an annual report for publication in the town report. He shall keep the board fully advised as to the needs of the town within the scope of his duties, and shall annually furnish to the board not later than the first day of December of each year a carefully prepared and detailed estimate in writing of the appropriation required during the next succeeding fiscal year for the proper exercise and perform-

ance of all said powers, rights and duties. The superintendent, as the board may direct, may undertake such engineering services as the town may need in departments other than those mentioned in section three.

SECTION 5. This act shall take full effect when accepted by a majority of the voters of said town present and voting thereon by ballot in accordance with the provisions of General Laws, so far as the same shall be applicable, at a meeting which the selectmen shall call for the purpose, not later than thirty days before the annual town meeting, in answer to the following question which shall be placed upon the official ballot to be used at said meeting:—"Shall an act passed by the General Court in the year nineteen hundred and fifty-nine entitled 'An Act providing that the selectmen of the town of Southborough shall constitute a board of public works, which board shall exercise the powers of certain other boards, departments and offices', be accepted?"

SECTION 6. At any time after the expiration of three years from the date on which this act is accepted, twenty per cent of the qualified voters of the town may petition the selectmen that the question of revoking the acceptance of this act be submitted to the voters at a meeting to be held at least sixty days before the annual town meeting. The vote shall be taken by ballot in accordance with the provisions of General Laws, so far as the same shall be applicable, in answer to the following question which shall be placed upon the official ballot to be used at said meeting:—"Shall the acceptance by the town of an act passed by the General Court in the year nineteen hundred and fifty-nine, entitled 'An Act providing that the selectmen of the town of Southborough shall constitute a board of public works, which board shall exercise the powers of certain other boards, departments and offices', be revoked?" If such revocation is favored by a majority of the voters voting thereon, and if the total number of voters voting thereon shall be a majority of the registered voters of the town, this act shall cease to be operative on and after the next annual town meeting following such vote, and the town shall at the next annual town meeting following such vote elect such boards and officers as are necessary to exercise and perform the powers, rights and duties transferred to the board of public works by this act. Such action shall not affect any contract then existing or any action at law or suit in equity or other proceeding then pending. All general laws respecting town administration and town officers and any special laws relative to the town, the operation of which has been suspended or superseded by the acceptance of this act, shall be revived by such revocation and shall continue to be in full force and effect. By-laws in force when such revocation takes effect, so far as they are consistent with general laws respecting town administration and town officers, and with special laws relating to the town, shall not be affected thereby, but any other by-law inconsistent with such general or special laws shall be annulled. Any subsequent petition to revoke the acceptance of this act shall not be filed under this section oftener than once in every three years.

Approved April 15, 1959.

Chap. 208. AN ACT PROVIDING THAT CITIES AND TOWNS MAY ACCUMULATE IN A CONSERVATION FUND MONEYS APPROPRIATED FROM YEAR TO YEAR FOR CONSERVATION PURPOSES.

Be it enacted, etc., as follows:

Clause (51) of section 5 of chapter 40 of the General Laws, added by section 2 of chapter 223 of the acts of 1957, is hereby amended by adding at the end the following two sentences:—The whole or any part of money so appropriated in any year may be placed in a conservation fund and allowed to accumulate from year to year. Money may be expended from said fund for any purpose, including the purchase of land, authorized by said section eight C.

Approved April 15, 1959.

Chap. 209. AN ACT AUTHORIZING GROUP INSURANCE OF PERSONS GRANTED POLICY LOANS BY INSURANCE COMPANIES.

Be it enacted, etc., as follows:

SECTION 1. Section 133 of chapter 175 of the General Laws is hereby amended by striking out clause (c) as most recently amended by chapter 188 of the acts of 1958, and inserting in place thereof the following clause:— ; or (c) a group of persons who at any time are debtors of a bank, association, financial or other institution, including its subsidiary or affiliated institutions, if any, for a loan, or of the vendor of any property for its purchase price, or of a guarantor or conditional guarantor of the obligation, under an agreement to pay any such indebtedness, or any balance thereof, in instalments over a period of not more than ten years, or who at any time have been granted a policy loan pursuant to a policy provision therefor, written under a policy issued, with or without medical examination, and made payable to such creditor or the assignee of the indebtedness, or the insurance company granting the policy loan, including the insurance company which issues such policy, and insuring the life of each debtor, or the person granted such policy loan, for an amount not exceeding his individual indebtedness or policy loan with interest, and not exceeding ten thousand dollars; provided, that not less than one hundred persons shall become insured under such a group policy each year after its date of issue; and provided, further, that no such debtor shall be insured in such a group for a period of more than ten years on account of a debt arising out of said loan or an obligation for the said purchase price.

SECTION 2. Section 134 of said chapter 175 is hereby amended by striking out provision 4A, inserted by chapter 169 of the acts of 1955, and inserting in place thereof the following provision:—

4A. In the case of a policy issued to a creditor to insure debtors of such creditor, a provision that the insurer will furnish to the policyholder for delivery to each debtor insured under the policy a form which will contain a statement that the life of the debtor is insured under the policy or in the case of a policy issued to an insurance company to insure persons granted policy loans, a provision that the policyholder will deliver to each person insured under the policy a

form which will contain a statement that the life of the person granted the loan is insured, and that any death benefit paid thereunder by reason of his death shall be applied to reduce or extinguish the indebtedness or policy loan.

Approved April 15, 1959.

Chap. 210. AN ACT PENALIZING THE USE OF CERTAIN NARCOTIC PREPARATIONS EXCEPT IN GOOD FAITH AS A MEDICINE.

Be it enacted, etc., as follows:

Chapter 94 of the General Laws is hereby amended by inserting after section 199E, as appearing in section 1 of chapter 660 of the acts of 1957, the following section:—*Section 199F.* Whoever purchases, acquires or receives and thereafter uses any narcotic preparation as defined in section one hundred and ninety-nine E except in good faith as a medicine for the alleviation of pain or disease shall be punished by a fine of not more than two thousand dollars or by imprisonment in the state prison for not less than two and one half nor more than five years.

Approved April 15, 1959.

Chap. 211. AN ACT VALIDATING AND CONFIRMING THE ACTION OF THE VOTERS OF THE TOWN OF WILLIAMSTOWN AT THE ANNUAL TOWN MEETING IN VOTING TO PROVIDE CIVIL SERVICE FOR POLICE OFFICERS.

Be it enacted, etc., as follows:

SECTION 1. The action of the voters of the town of Williamstown taken at the annual town meeting held in said town on February sixteenth, nineteen hundred and fifty-nine, on the following question which appeared on the official ballot used at said meeting as follows:—“Shall the pertinent provisions of chapter thirty-one of the General Laws, providing civil service for police officers (exclusive of the chief) in accordance with section forty-eight, be accepted?”, is hereby validated and confirmed notwithstanding the fact that said question was not placed on said ballot in the manner provided by section forty-eight of chapter thirty-one of the General Laws.

SECTION 2. This act shall take effect upon its passage.

Approved April 21, 1959.

Chap. 212. AN ACT TO AUTHORIZE THE TOWN OF WESTWOOD TO CONSTRUCT A PART OF ITS SYSTEM OF SEWERS AND DRAINS IN A CERTAIN SECTION OF THE TOWN OF NORWOOD.

Be it enacted, etc., as follows:

SECTION 1. The town of Westwood in connection with the construction and operation of a system of sewers and drains, as authorized by chapter three hundred and eighty of the acts of nineteen hundred and fifty-five, as amended, is hereby authorized to construct in Everett street, a public way in the town of Norwood, and in land in

the town of Norwood adjacent to said public way such drains, sub-drains, connecting drains, and sewers, as are deemed necessary by the board of sewer commissioners of the town of Westwood. Said board shall have and exercise for the purposes of this act all the authority conferred upon it by said chapter three hundred and eighty, and by the vote of the town of Westwood under Article 15 of the warrant for the special town meeting held November seventeenth, nineteen hundred and fifty-eight.

SECTION 2. Any person injured in his property by any action of the board of sewer commissioners of the town of Westwood under the provisions of this act may recover damages from said town under chapter seventy-nine of the General Laws.

SECTION 3. This act shall take effect upon its passage.

Approved April 21, 1959.

Chap. 213. AN ACT PROHIBITING TRESPASSING UPON OR REFUSAL TO LEAVE CERTAIN LAND OR PREMISES APPURTENANT TO THE SOLDIERS' HOME IN MASSACHUSETTS OR TO THE SOLDIERS' HOME IN HOLYOKE.

Be it enacted, etc., as follows:

Chapter 266 of the General Laws is hereby amended by striking out section 123, as most recently amended by section 8E of chapter 613 of the acts of 1958, and inserting in place thereof the following section:—*Section 123.* Whoever wilfully trespasses upon land or premises belonging to the commonwealth appurtenant to the state prison, state prison colony, Massachusetts reformatory, reformatory for women, state farm, Tewksbury hospital, Soldiers' Home in Massachusetts, Soldiers' Home in Holyoke, any public institution for the care of insane, feeble minded or epileptic persons, any Massachusetts training school or state charitable institution, or upon land or premises belonging to any county appurtenant to a jail or house of correction, or whoever, after notice from an officer of any of said institutions to leave said land, remains thereon, shall be punished by a fine of not more than fifty dollars or by imprisonment for not more than three months.

Approved April 21, 1959.

Chap. 214. AN ACT INCREASING THE AMOUNT OF PROPERTY THAT MAY BE HELD BY THE BOSTON YOUNG MEN'S CHRISTIAN ASSOCIATION.

Be it enacted, etc., as follows:

Chapter 3 of the acts of 1928 is hereby amended by striking out, in line 3, the words "four million five hundred thousand" and inserting in place thereof the words:—ten million,—so as to read as follows:—The Boston Young Men's Christian Association is hereby authorized to hold real and personal estate to an amount not exceeding ten million dollars. The amount hereby authorized shall be exclusive of such amount as any affiliated corporation is authorized to hold.

Approved April 21, 1959.

Chap. 215. AN ACT DESIGNATING THE MYLES STANDISH STATE SCHOOL AS THE PAUL A. DEVER STATE SCHOOL.

Be it enacted, etc., as follows:

SECTION 1. The Myles Standish state school, located in the city of Taunton, shall be known and designated as the Paul A. Dever state school. The commissioner of mental health shall cause a suitable tablet bearing such designation to be placed therein. The board of trustees appointed under section six of chapter nineteen of the General Laws shall serve, without reappointment, as the board of trustees of the Paul A. Dever state school.

SECTION 2. Section 5 of chapter 19 of the General Laws, as most recently amended by section 1 of chapter 63 of the acts of 1956, is hereby further amended by striking out, in line 11, the words "Myles Standish" and inserting in place thereof the words:—Paul A. Dever,—so as to read as follows:—*Section 5.* The boards of trustees of the following public institutions shall serve in the department: Belchertown state school, Massachusetts mental health center (Boston psychopathic hospital), Boston state hospital, Danvers state hospital, Foxborough state hospital, Gardner state hospital, Grafton state hospital, Walter E. Fernald state school, Medfield state hospital, Metropolitan state hospital, Monson state hospital, Norfolk state hospital, Northampton state hospital, Taunton state hospital, Westborough state hospital, Worcester state hospital, Cushing hospital, Paul A. Dever state school and Wrentham state school.

SECTION 3. Section 25 of chapter 123 of the General Laws, as most recently amended by section 2 of said chapter 63, is hereby further amended by striking out, in line 11, the words "Myles Standish" and inserting in place thereof the words:—Paul A. Dever,—so as to read as follows:—*Section 25.* The state institutions under the control of the department shall be Worcester state hospital, Taunton state hospital, Northampton state hospital, Danvers state hospital, Grafton state hospital, Westborough state hospital, Foxborough state hospital, Medfield state hospital, Monson state hospital, Gardner state hospital, Wrentham state school, Boston state hospital, Walter E. Fernald state school, Massachusetts mental health center (Boston psychopathic hospital), Belchertown state school, Metropolitan state hospital, Norfolk state hospital, Cushing hospital, Paul A. Dever state school, and such others as may hereafter be added by authority of law.

SECTION 4. The first sentence of section 45 of said chapter 123, as appearing in section 4 of chapter 684 of the acts of 1950, is hereby amended by striking out, in line 3, the words "Myles Standish" and inserting in place thereof the words:—Paul A. Dever,—so as to read as follows:—The Walter E. Fernald state school, the Belchertown state school, the Paul A. Dever state school and the Wrentham state school shall each maintain a school department for the instruction and education of feeble minded persons who are within the school age or who in the judgment of the superintendent are capable of being benefited by school instruction, and a custodial department for the care and custody of feeble minded persons beyond the school age or not capable of being benefited by school instruction.

SECTION 5. Section 46 of said chapter 123, as most recently

amended by section 5 of said chapter 684, is hereby further amended by striking out, in line 3, the words "Myles Standish" and inserting in place thereof the words:—Paul A. Dever,—so as to read as follows:—*Section 46.* Persons received by the Walter E. Fernald state school, by the Belchertown state school, by the Paul A. Dever state school and by the Wrentham state school shall be classified in said departments, and the superintendent may receive and discharge pupils, and may at any time discharge any pupil or other inmate and cause him to be removed to his home.

SECTION 6. The first paragraph of section 51 of said chapter 123, as appearing in section 8 of chapter 637 of the acts of 1955, is hereby amended by striking out, in lines 4 and 5, the words "Myles Standish" and inserting in place thereof the words:—Paul A. Dever,—so as to read as follows:—No person shall be committed to any institution for the mentally ill designated under or described in section ten, except the Walter E. Fernald state school, the Belchertown state school, the Paul A. Dever state school and the Wrentham state school, unless there has been filed with the court a certificate or certificates in accordance with section fifty-three certifying to the mental illness of such person by two properly qualified physicians, nor without an order therefor, signed by a judge designated in section fifty, stating that he finds that the person committed is mentally ill and is a proper subject for treatment in a hospital for the mentally ill, and either that said person has been an inhabitant of the commonwealth for the six months immediately preceding such finding, or that provision satisfactory to the department has been made for his maintenance, or that by reason of mental illness he would be dangerous if at large. The order of commitment shall also authorize the custody of the mentally ill person either at the institution first named, or at any other institution under the control of the department to which he may be properly transferred.

SECTION 7. The first sentence of section 66 of said chapter 123, as most recently amended by section 7 of said chapter 684 of the acts of 1950, is hereby further amended by striking out, in line 5, the words "Myles Standish" and inserting in place thereof the words:—Paul A. Dever,—so as to read as follows:—Any judge of probate, within his county, upon written application, if he finds that a person residing or being within said county is a proper subject for the Walter E. Fernald state school, the Belchertown state school, the Paul A. Dever state school or the Wrentham state school, may commit him thereto by an order of commitment, directed to the superintendent thereof, made in accordance with section fifty-one, and accompanied by a certificate in accordance with section fifty-three by a physician, qualified as therein provided, that such person is a proper subject for said school, and all provisions of said section shall apply to such certificate, except that the physician's examination of the alleged feeble minded person shall have occurred within ten days of the signing and making oath to the certificate, which shall bear date not more than twenty days prior to the commitment of such person.

SECTION 8. Section 67A of said chapter 123, inserted by section 8

of said chapter 684, is hereby amended by striking out, in line 2, the words "Myles Standish" and inserting in place thereof the words:—Paul A. Dever,—so as to read as follows:—*Section 67A.* If an inmate of the Paul A. Dever state school has reached the limit of school age, or if in the judgment of the department he is incapable of being further benefited by school instruction, or if the question of the commitment to or continuance in the said school of any inmate, including inmates who may have been transferred from one department to another of such school, under section forty-six, is in the opinion of the department a proper subject for judicial inquiry, the probate court for Bristol county, upon the written petition of said department, or of any member thereof, and after such notice as the court may order, may, in its discretion, order such inmate to be brought before the court, and shall determine whether or not he is a feeble minded person, and may commit him to such school or either department thereof, or may order him to be discharged therefrom.

SECTION 9. Section 91 of said chapter 123, as amended by section 9 of said chapter 684, is hereby further amended by striking out, in line 11, the words "Myles Standish" and inserting in place thereof the words:—Paul A. Dever,—so as to read as follows:—*Section 91.* Any person may make written application to a justice of the supreme judicial court at any time and in any county, stating that he believes or has reason to believe that a person named in such application is confined as an insane person in an institution or other place, public or private, and ought not longer to be so confined, giving the names of all persons supposed to be interested in keeping him in confinement, and requesting his discharge. Such an application may likewise be made by any inmate of the Walter E. Fernald state school, of the Belchertown state school, of the Paul A. Dever state school or of the Wrentham state school, or by any person in his behalf.

SECTION 10. Section 93 of said chapter 123, as amended by section 10 of said chapter 684, is hereby further amended by striking out, in line 7, the words "Myles Standish" and inserting in place thereof the words:—Paul A. Dever,—so as to read as follows:—*Section 93.* If it appears upon the verdict of the jury, or in the opinion of the justice if the case is not submitted to a jury, that the person so confined is not insane, or that he is not dangerous to himself or others and ought not longer to be so confined, or in case of an inmate of the Walter E. Fernald state school, of the Belchertown state school, of the Paul A. Dever state school or of the Wrentham state school, either that such inmate is not feeble minded, or that continued custody of his person is unnecessary and unreasonable, or that he can be discharged with safety to himself and the public, and will be cared for properly elsewhere, he shall be discharged from confinement.

SECTION 11. The words "Myles Standish state school" or any words connoting the same when used in any general or special law, rule or regulation or judicial order or decree shall mean the "Paul A. Dever state school."

SECTION 12. This act shall take effect on October first, nineteen hundred and fifty-nine.

Approved April 21, 1959.

Chap. 216. AN ACT AUTHORIZING THE PETER BENT BRIGHAM HOSPITAL TO HOLD ADDITIONAL REAL AND PERSONAL ESTATE.

Be it enacted, etc., as follows:

Chapter 370 of the acts of 1909 is hereby amended by striking out section 1 and inserting in place thereof the following section:—*Section 1.* The Peter Bent Brigham Hospital is hereby authorized to hold, for its corporate purposes, real and personal estate to an amount not exceeding fifteen million dollars in value, including the amount that it is already authorized by law to hold.

Approved April 21, 1959.

Chap. 217. AN ACT ENABLING AMERICAN UNITARIAN ASSOCIATION TO HOLD MEETINGS OF ITS MEMBERS ANYWHERE IN THE UNITED STATES OF AMERICA AND CANADA.

Be it enacted, etc., as follows:

SECTION 1. The American Unitarian Association, incorporated by chapter forty-two of the acts of eighteen hundred and forty-seven, is hereby authorized to hold meetings of its members anywhere in the United States of America or Canada and to transact any and all business at such meetings which it might transact if such meetings were held in the commonwealth.

SECTION 2. Section one of this act shall take effect upon acceptance by the members of the American Unitarian Association at an annual meeting held in the commonwealth, and upon the filing of a certified copy of said vote of acceptance with the secretary of the commonwealth.

Approved April 21, 1959.

Chap. 218. AN ACT PROVIDING THAT THE ASSESSMENT OF TAXES UPON THE STOCK IN TRADE OF TRANSIENT VENDORS SHALL MAKE THE TRANSIENT VENDORS LAW INAPPLICABLE TO SUCH VENDORS.

Be it enacted, etc., as follows:

Chapter 101 of the General Laws is hereby amended by striking out section 2, as most recently amended by chapter 243 of the acts of 1957, and inserting in place thereof the following section:—*Section 2.* The provisions of this chapter relative to transient vendors shall not apply to sales by commercial travelers or by selling agents to dealers in the usual course of business, or to bona fide sales of goods, wares or merchandise by sample for future delivery, or to sales of goods, wares or merchandise by any domestic corporation or agent thereof, by any person, whether principal or agent, who engages in temporary or transient business in any town in which taxes have been assessed upon his stock in trade during the current year, or to hawkers and pedlars as defined in section thirteen, nor shall they affect the right of any town to pass ordinances or by-laws authorized by law relative to transient vendors. No transient vendor shall be relieved or exempted from the provisions and requirements of this chapter relative to

transient vendors by reason of associating himself temporarily with any local dealer, trader or merchant, or by conducting such temporary or transient business in connection with or as a part of the business of, or in the name of any local dealer, trader or merchant.

Approved April 21, 1959.

Chap. 219. AN ACT REQUIRING THAT RETAIL SALE OF CERTAIN EDIBLE FISH BE MADE BY WEIGHT.

Be it enacted, etc., as follows:

Chapter 94 of the General Laws is hereby amended by striking out section 92B, and the heading preceding said section, inserted by chapter 97 of the acts of 1935, and inserting in place thereof, under the heading "MEATS, POULTRY AND FISH", the following section:—
Section 92B. All meats, poultry and edible fish, except soft shell clams and oysters, shall be sold at retail only by weight and, except when sold in package form bearing a plain and conspicuous statement of quantity of contents as provided in section one hundred and eighty-one, such weight shall be determined at the time of sale. Whoever himself or by his servant or agent violates any provision of this section shall be punished by a fine of ten dollars.

Approved April 21, 1959.

Chap. 220. AN ACT GRANTING JURISDICTION TO THE SUPERIOR COURT TO COMPEL COMPLIANCE WITH ORDINANCES OR BY-LAWS OF CITIES AND TOWNS PROHIBITING OR REGULATING THE REMOVAL OF SOIL, LOAM, SAND OR GRAVEL.

Be it enacted, etc., as follows:

Section 21 of chapter 40 of the General Laws is hereby amended by striking out clause (17), as amended by chapter 352 of the acts of 1951, and inserting in place thereof the following clause:—

(17) For prohibiting or regulating the removal of soil, loam, sand or gravel from land not in public use in the whole or in specified districts of the town. The superior court shall have jurisdiction in equity to compel compliance with any ordinance or by-law made hereunder. The penalty for violation of any ordinance or by-law made hereunder shall be as follows:—for the first offence, fifty dollars; for the second offence, one hundred dollars; and for each subsequent offence, two hundred dollars.

Approved April 21, 1959.

Chap. 221. AN ACT RELATIVE TO THE EFFECT OF THE ADOPTION OR AMENDMENT OF ZONING ORDINANCES OR BY-LAWS ON CERTAIN LAND SHOWN ON PLANS FILED UNDER THE SUBDIVISION CONTROL LAW.

Be it enacted, etc., as follows:

Chapter 40A of the General Laws is hereby amended by striking out section 7A, inserted by chapter 297 of the acts of 1957, and in-

serting in place thereof the following section:—*Section 7A.* When a preliminary plan referred to in section eighty-one S of chapter forty-one of the General Laws has been submitted to a planning board, and written notice of the submission of such plan has been given to the city or town clerk, the land shown on such preliminary plan and on the definitive plan evolved therefrom shall be governed by the zoning ordinance or by-law in effect at the time of the submission of the preliminary plan while such plan or plans are being processed under the subdivision control law; provided, that the definitive plan is duly submitted within seven months from the date on which the preliminary plan was submitted and is thereafter duly approved; and provided, further, that the land shown thereon is to be developed for residential use. Notwithstanding any other provision of law, no amendment to any zoning ordinance or by-law shall apply to or affect any lot shown on a definitive subdivision plan for residences which has been previously approved by a planning board until a period of three years from the date of such approval has elapsed, provided said lot complies with the provisions of the zoning ordinance or by-law existing at the time of said approval. *Approved April 21, 1959.*

Chap. 222. AN ACT AUTHORIZING RAILROAD CORPORATIONS TO HOLD STOCK IN CERTAIN COMPANIES.

Be it enacted, etc., as follows:

Chapter 160 of the General Laws is hereby amended by inserting after section 65A the following section:—*Section 65B.* A railroad corporation may hold stock in real estate, warehouse, industrial facility, and industrial development companies but in no event shall such holdings exceed, in the aggregate, ten per cent of the outstanding capital stock of such railroad corporation.

Approved April 21, 1959.

Chap. 223. AN ACT PERMITTING THE USE OF THE BALANCE OF CERTAIN LOANS FOR THE CURRENT COST OF THE CARE, MAINTENANCE AND REPAIR OF COUNTY TUBERCULOSIS HOSPITALS.

Be it enacted, etc., as follows:

Section 85A of chapter 111 of the General Laws, as amended by chapter 65 of the acts of 1932, is hereby further amended by adding at the end the following paragraph:—

Notwithstanding the limitations imposed by section thirty-seven A of chapter thirty-five, expenditures for the cost in any year of the care, maintenance and repair of county tuberculosis hospitals may be made from any tuberculosis hospital cash balance remaining in the treasury at the end of the preceding fiscal year resulting from loans issued under the authority of this section.

Approved April 21, 1959.

Chap. 224. AN ACT PROVIDING FOR A REDUCTION IN SENTENCE FOR PRISONERS WHO DONATE BLOOD FOR CERTAIN CAUSES.

Be it enacted, etc., as follows:

Chapter 127 of the General Laws is hereby amended by inserting after section 129 the following section:—*Section 129A.* A prisoner of any correctional institution of the commonwealth whose term of imprisonment is thirty days or more may have his sentence reduced by five days for each pint of blood donated by him to any veterans' organization, civil defense unit, or hospital, or to the armed forces of the United States, or the Red Cross, or for the purposes of scientific research. Each prisoner shall be limited to four donations a year. Any reduction of sentence so earned shall not be subject to forfeiture. The blood so donated shall not be used in any way commercially or for a profit. A list of all such blood donors and the amounts of blood donated by each shall be kept by the principal officer of the institution and forwarded to the commissioner. *Approved April 21, 1959.*

Chap. 225. AN ACT AUTHORIZING THE CITY OF BROCKTON TO VOTE AT ITS MUNICIPAL ELECTION IN THE CURRENT YEAR ON THE QUESTION OF ADOPTING THE "PLAN B" FORM OF CITY GOVERNMENT.

Be it enacted, etc., as follows:

Notwithstanding the provisions of chapter forty-three of the General Laws the following question shall be placed upon the ballot to be used at the municipal election for the city of Brockton in the current year:—"Shall the city of Brockton adopt the form of government defined as Plan B and consisting of government by a mayor and councillors elected partly at large and partly from wards or districts, with elections to be held biennially in every odd-numbered year, according to chapter forty-three of the General Laws relative to city charters?"

YES.	<input type="checkbox"/>
NO.	<input type="checkbox"/>

If a majority of the voters voting on said question vote in the affirmative, the officers provided for under said Plan B shall be elected in accordance with the provisions of chapter forty-three of the General Laws relating to such plan and in accordance with section fifteen thereof, and their terms of office shall begin at ten o'clock in the forenoon on the first Monday of January following their election, at which time said Plan B shall take full effect in said city.

Approved April 21, 1959.

Chap. 226. AN ACT TO CORRELATE A SPECIAL ACT REGULATING THE INSTALLATION AND USE OF ELECTRIC WIRING, APPARATUS, EQUIPMENT AND APPLIANCES IN THE CITY OF BOSTON WITH THE PROVISIONS OF THE GENERAL LAWS REGULATING THE CONSTRUCTION AND MAINTENANCE OF ELEVATORS AND ESCALATORS.

Be it enacted, etc., as follows:

Chapter 268 of the acts of 1898 is hereby amended by adding after section 4, inserted by section 1 of chapter 262 of the special acts of

1915, the following section:—*Section 5.* No provision of this act nor any rule or regulation made thereunder shall apply to the installation, repair or wiring of elevators, escalators or dumbwaiters.

Approved April 21, 1959.

Chap. 227. AN ACT TO CORRELATE THE BOSTON BUILDING CODE WITH THE PROVISIONS OF THE GENERAL LAWS RELATIVE TO THE LICENSING OF PERSONS ENGAGED IN THE CONSTRUCTION AND MAINTENANCE OF ELEVATORS AND ESCALATORS.

Be it enacted, etc., as follows:

Paragraph (b) of section 120 of chapter 479 of the acts of 1938 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:—The board of examiners shall hold examinations, under rules and regulations adopted by it, of persons desiring to be registered as qualified to have charge or control of the construction, alteration, removal or tearing down of buildings or structures.

Approved April 21, 1959.

Chap. 228. AN ACT ESTABLISHING A MINIMUM ANNUAL COMPENSATION FOR POLICE OFFICERS IN CERTAIN CITIES AND TOWNS.

Be it enacted, etc., as follows:

Chapter 41 of the General Laws is hereby amended by inserting after section 108D the following section:—*Section 108E.* Notwithstanding the provisions of any general or special law to the contrary, the minimum annual compensation of each regular police officer of the police department of any city or town shall be not less than the following:

For the first year of service four thousand eight hundred and eighty dollars.

For the second year of service five thousand and thirty dollars.

For the third and each succeeding year of service five thousand five hundred dollars.

This section shall become effective when accepted in a city having a plan E charter by the affirmative vote of a majority of all the members of the city council, and, in the case of other cities by vote of the city council, subject to the provisions of the charter, and in a town by majority vote at an annual town meeting.

Approved April 21, 1959.

Chap. 229. AN ACT TO PROVIDE FOR THE FILING OF A CERTAIN AFFIDAVIT PRIOR TO THE APPOINTMENT OF A KEEPER OF ATTACHED PERSONAL PROPERTY.

Be it enacted, etc., as follows:

Section 48 of chapter 223 of the General Laws, as most recently amended by section 1 of chapter 348 of the acts of 1938 is hereby further amended by inserting after the first sentence the following sen-

tence:—No writ shall be so endorsed unless the plaintiff, in support of his application for said appointment, shall first have filed an affidavit stating the facts which require such appointment.

Approved April 21, 1959.

Chap. 230. AN ACT RELATIVE TO PAYMENTS FOR A CERTAIN SPECIFIC INJURY TO AN EYE UNDER THE WORKMEN'S COMPENSATION ACT.

Be it enacted, etc., as follows:

Section 36 of chapter 152 of the General Laws is hereby amended by striking out paragraph (d), as appearing in chapter 519 of the acts of 1949, and inserting in place thereof the following paragraph:—

(d) For the loss by enucleation or otherwise, or the total loss of use of one eye, or for injury to one eye which produces an inability which is not correctible to use both eyes together for single binocular vision, a period of two hundred weeks,

Approved April 21, 1959.

Chap. 231. AN ACT RELATING TO THE NORTH MIDDLESEX REGIONAL SCHOOL DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. The proceedings heretofore taken relating to the establishment and organization of the North Middlesex Regional School District, together with the proceedings amendatory thereof by the towns of Ashby, Dunstable, Pepperell and Townsend at special town meetings held January eighteenth, nineteen hundred and fifty-six, namely, proceedings to adopt the first amendment to the North Middlesex Regional School District agreement providing for the withdrawal of the towns of Ashby and Pepperell from said regional school district, which amendment was adopted by the towns of Townsend and Pepperell at special town meetings held on June tenth, nineteen hundred and fifty-seven, by the town of Dunstable at a special town meeting held on June eleventh, nineteen hundred and fifty-seven, and by the town of Ashby at a special town meeting held on June twenty-seventh, nineteen hundred and fifty-seven, and proceedings to adopt the second amendment to the North Middlesex Regional School District agreement providing for the readmission of the town of Pepperell to, and the withdrawal of the town of Dunstable from said regional school district, which amendment was adopted by the town of Dunstable at a special town meeting held on November twenty-fourth, nineteen hundred and fifty-eight, by the town of Pepperell at a special town meeting held on December first, nineteen hundred and fifty-eight, and by the town of Townsend at a special town meeting held on December tenth, nineteen hundred and fifty-eight are hereby validated. Said regional school district, which presently consists of the towns of Townsend and Pepperell, is hereby declared to be, and at all times since its establishment and organization to have been, a valid regional school district with all the rights, powers and duties of dis-

tricts duly established and organized under section fifteen of chapter seventy-one of the General Laws.

SECTION 2. All acts and proceedings of said regional school district and of the officers thereof heretofore done or taken are hereby validated. Without limiting the generality of the foregoing, the vote of the regional district school committee of said regional school district passed January sixteenth, nineteen hundred and fifty-nine, authorizing the issue of bonds of said regional school district to the amount of one million eight hundred and forty-five thousand dollars, is hereby validated and said bonds may be issued accordingly without further opportunity to the member towns to express disapproval of the amount thereof.

SECTION 3. This act shall take effect upon its passage.

Approved April 22, 1959.

Chap. 232. AN ACT VALIDATING THE ACTION OF THE SPECIAL TOWN MEETING HELD IN THE TOWN OF WESTFORD ON MARCH SEVENTH, NINETEEN HUNDRED AND FIFTY-NINE.

Be it enacted, etc., as follows:

SECTION 1. All action taken at the special town meeting held in the town of Westford on March seventh, nineteen hundred and fifty-nine, is hereby validated.

SECTION 2. This act shall take effect upon its passage.

Approved April 22, 1959.

Chap. 233. AN ACT INCREASING THE EXEMPTION FROM TAXATION OF CERTAIN REAL PROPERTY OF CERTAIN DISABLED VETERANS.

Be it enacted, etc., as follows:

SECTION 1. Section 5 of chapter 59 of the General Laws is hereby amended by inserting after clause Twenty-second A the following clause:—Twenty-second B, Real estate of soldiers and sailors described in paragraph (a) of clause Twenty-second who are legal residents of the commonwealth, and who according to the records of the Veterans Administration by reason of war time service in the armed forces of the United States have suffered in the line of duty permanent and total disability, and who by reason of such disability have received assistance in acquiring "specially adapted housing" under laws administered by the Veterans Administration, to the amount of ten thousand dollars; provided that such real estate is occupied as his domicile by such person; and provided, further, that if said property be greater than a single family house, then only that value of so much of said house as is occupied by said person as his domicile shall be exempted; and provided, further, the real estate of the person so exempted or the combined real estate of such person and his wife does not exceed ten thousand dollars, exclusive of the value of the mortgage interest held by persons other than the person to be exempted in such mortgaged real estate as may be included in said whole estate or com-

bined property; but if said whole estate or combined property of such soldier or sailor and his wife, being less than ten thousand dollars, the sum total thereof and of such mortgage interest exceeds ten thousand dollars, the amount so exempted shall be ten thousand dollars.

Two thousand dollars of this exemption shall be borne by the city or town as provided in clause Twenty-second. The balance, up to eight thousand dollars, shall be borne by the commonwealth, and the state treasurer shall annually reimburse the city or town for the amount of the tax which otherwise would have been collected on account of this balance.

SECTION 2. This act shall apply only to taxes assessed in the year nineteen hundred and sixty and in subsequent years.

Approved April 22, 1959.

Chap. 234. AN ACT PROVIDING A PENALTY FOR THROWING OR SHOOTING MISSILES AT A SCHOOL BUS, OR INTERFERING WITH THE OPERATOR THEREOF.

Be it enacted, etc., as follows:

Section 104 of chapter 159 of the General Laws is hereby amended by striking out the first sentence, as amended by section 1 of chapter 117 of the acts of 1950, and inserting in place thereof the following sentence:—Whoever wilfully throws or shoots a missile at a locomotive engine, or railroad or railway car or train, or at a motor bus or trackless trolley vehicle, or at a school bus, or at a person on such engine, car, train, motor bus or trackless trolley vehicle, or school bus, or in any way assaults or interferes with a conductor, engineer, brakeman, motorman or operator while in the performance of his duty on or near such engine, car, train, motor bus or trackless trolley vehicle, or school bus, shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than one year, or both.

Approved April 22, 1959.

Chap. 235. AN ACT PROVIDING THAT ANY PERSON WHO, WITHOUT INFORMING THE PURCHASER, SELLS A MOTOR VEHICLE WHICH HE KNOWS HAS BEEN USED AS A RENTAL VEHICLE SHALL BE SUBJECT TO A PENALTY.

Be it enacted, etc., as follows:

Chapter 266 of the General Laws is hereby amended by striking out section 92A, as amended by chapter 261 of the acts of 1957, and inserting in place thereof the following section:—*Section 92A.* Whoever sells a motor vehicle knowing that its engine or electrical parts have been submerged in water, or knowing that it has been used as a police car, a taxicab, or a rental vehicle by a motor vehicle rental agency, without informing the purchaser of such fact shall be punished by a fine of not less than ten nor more than five hundred dollars.

Approved April 22, 1959.

Chap. 236. AN ACT REGARDING THE DISPOSITION OF CERTAIN UNCLAIMED FUNDS OF FORMER PATIENTS OR MEMBERS OF THE SOLDIERS' HOMES OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. Chapter 115A of the General Laws is hereby amended by inserting after section 5, as appearing in section 42 of chapter 627 of the acts of 1954, the following section:—*Section 6.* So much of any funds known as "Patients Funds" as represents monies belonging to, or deposited for the benefit of, patients or members who have been discharged or voluntarily departed from, or died at, either of said Homes, which shall have remained unclaimed for more than seven years, shall be paid by the commandant or superintendent thereof to the state treasurer to be held subject to be paid to the person establishing a lawful right thereto, with interest at the rate of three per cent per annum from the time when it was so paid to the state treasurer to the time when it is paid by him to such person; provided, that so much of any monies so paid to the state treasurer as may be necessary to reimburse said Home for any sum due for the support of the person by whom, or for whose benefit such money was originally deposited, shall be credited to said Home for that purpose. After six years from the date when any such monies were paid to the state treasurer the same or any balance thereof then remaining in his hands shall be transferred to the trustees of said Home for deposit in its legacy fund or legacy account. Any person, may, however, establish his claim after the expiration of the six years above mentioned and any claim so established shall be paid from the legacy fund or legacy account of said Home. Any person claiming a right to money deposited with the state treasurer or with the trustees under this section may establish the same by a petition to the probate court. A justice of said court, after examining the merits of the claim, may direct the treasurer or the trustees to pay such money to the claimant.

SECTION 2. Section 14 of chapter 200A of the General Laws, as appearing in chapter 801 of the acts of 1950, is hereby amended by inserting after the word "section", in line 2, the words:—six of chapter one hundred and fifteen A; section,—and by striking out, in line 14, the words:—" ; all of the General Laws".

Approved April 22, 1959.

Chap. 237. AN ACT PROVIDING FOR LIFE TENURE FOR FRANCIS X. BOWKER, INCUMBENT OF THE OFFICE OF CHIEF OF POLICE IN THE TOWN OF HOPKINTON.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of Francis X. Bowker, incumbent of the office of chief of police of the town of Hopkinton, shall, upon the effective date of this act be unlimited, but he may be removed for cause after hearing in the manner provided by section forty-three of chapter thirty-one of the General Laws.

SECTION 2. This act shall be submitted to the voters of said town at the annual town meeting to be held in the year nineteen hundred

and sixty in the form of the following question, which shall be placed upon the official ballot to be used for the election of town officers at said meeting:—"Shall an act passed by the general court in the year nineteen hundred and fifty-nine, entitled:—'An Act providing for life tenure for Francis X. Bowker, incumbent of the office of chief of police in the town of Hopkinton', be accepted?" If a majority of the votes in answer to said question is in the affirmative this act shall take full effect, but not otherwise. *Approved April 22, 1959.*

Chap. 238. AN ACT RELATIVE TO THE OFFICE OF SPECIAL INVESTIGATOR IN THE POLICE DEPARTMENT OF THE TOWN OF MARBLEHEAD.

Be it enacted, etc., as follows:

SECTION 1. Upon the termination of the services of the senior patrolman presently assigned as special investigator in the Marblehead police department, a lieutenant of the police department shall be assigned as special investigator.

SECTION 2. The provisions of section one of this act shall not affect any rights of the senior patrolman presently assigned as special investigator in the Marblehead police department as set forth under the provisions of chapter three hundred and five of the acts of nineteen hundred and fifty-three. Upon the termination of the services of the senior patrolman assigned as special investigator, chapter three hundred and five of the acts of nineteen hundred and fifty-three shall become inoperative.

SECTION 3. This act shall take effect upon acceptance by the board of selectmen in the town of Marblehead. *Approved April 22, 1959.*

Chap. 239. AN ACT RELATIVE TO DISCRIMINATION BECAUSE OF RACE, CREED, COLOR, OR NATIONAL ORIGIN IN MULTIPLE DWELLING AND CONTIGUOUSLY LOCATED HOUSING ACCOMMODATIONS.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 151B of the General Laws is hereby amended by adding after subsection 11, added by section 1 of chapter 426 of the acts of 1957, the following subsection:—

12. The term "contiguously located housing" means (1) housing which is offered for sale, lease or rental by a person who owns or at any time has owned, or who otherwise controls or at any time has controlled, the sale of ten or more housing accommodations located on land that is contiguous (exclusive of public streets), and which housing is located on such land, or (2) housing which is offered for sale, lease or rental and which at any time was one of ten or more lots of a tract whose plan has been submitted to a planning board as required by THE SUBDIVISION CONTROL LAW, as appearing in sections eighty-one K to eighty-one GG, inclusive, of chapter forty-one.

SECTION 2. Subsection 6 of section 4 of said chapter 151B, added by section 2 of said chapter 426, is hereby amended by inserting after the word "assisted", in line 2, the words:—or multiple dwelling or contiguously located,—so as to read as follows:—

6. For the owner, lessee, sublessee, assignee or managing agent of publicly assisted or multiple dwelling or contiguously located housing accommodations or other person having the right of ownership or possession or right to rent or lease such accommodations:—

(a) to refuse to rent or lease or otherwise to deny to or withhold from any person or group of persons such accommodations because of the race, creed, color or national origin of such person or persons;

(b) to discriminate against any person because of his race, creed, color or national origin in the terms, conditions or privileges of such accommodations or in the furnishing of facilities or services in connection therewith; or

(c) to cause to be made any written or oral inquiry or record concerning the race, creed, color or national origin of a person seeking to rent or lease any such accommodation. *Approved April 22, 1959.*

Chap. 240. AN ACT AUTHORIZING THE CITY OF BOSTON TO CONVEY CERTAIN PARK LAND TO THE METROPOLITAN DISTRICT COMMISSION.

Be it enacted, etc., as follows:

The board of park commissioners of the city of Boston, with the approval of the mayor, is hereby authorized to convey without consideration to the metropolitan district commission so much of two parcels of land now held by said city for public park purposes, bounded by Gardner way and Farragut road in the South Boston district of said city, and bounded by Beacon street, Chestnut Hill avenue, Commonwealth avenue, and Chestnut Hill Reservoir, in the Brighton district of said city, as may be agreed upon by the city and the commission to be required for the development of recreational centers by the commission at said locations. *Approved April 22, 1959.*

Chap. 241. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF THE COUNTY OF MIDDLESEX TO USE FOR HIGHWAY PURPOSES CERTAIN LAND OF SAID COUNTY, LOCATED IN THE TOWN OF BILLERICA AND ACQUIRED FOR HOUSE OF CORRECTION PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of relocating Treble Cove road in the town of Billerica, the county commissioners of the county of Middlesex are hereby authorized to use for highway purposes certain land in said town acquired by said county under the provisions of chapter three hundred and eighty-one of the acts of nineteen hundred and twenty-nine for the purpose of providing a new house of correction; said land being shown on a plan of the proposed relocation of said Treble Cove road, prepared by said county commissioners, and bounded and described as follows:—

Parcel "A". Beginning at a Massachusetts highway bound at the northeasterly corner of the granted premises, and on the north-

westerly side of the highway as laid out by the Department of Public Works of the Commonwealth of Massachusetts on September 15, 1953, and known as Route 3; thence running southerly S. $15^{\circ} 17' 16''$ W., 119.80 feet to a Massachusetts highway bound; thence S. $12^{\circ} 09' 13''$ W., 114.17 feet to a point in the northwesterly line of Treble Cove Road as laid out by the County Commissioners in 1934, and also at the southerly end of the 1953 town lay out of said road; thence by a curved line of radius 746.14 feet, following the said northwesterly line of said Treble Cove Road as laid out by the County Commissioners in 1934, about 210 feet to a point in a stone wall; thence along said stone wall in a northerly direction for a distance of about 55 feet to a point in said wall at other land of the said County; thence along said other land of said County by a curved line of radius 1043.35 feet, 392.52 feet to the point of beginning—containing about 9,000 square feet;

Parcel "B". Beginning at the northeasterly corner of the granted premises at a point in the present northwesterly line of Treble Cove Road, as laid out by the County Commissioners in 1934; thence running southwesterly by a curved line of radius 479.47 feet in the said present northwesterly line of Treble Cove Road, about 134 feet to a point marking the southwesterly end of said curve of 479.47 feet radius; thence turning and running northeasterly by a curved line of radius, 1079.88 feet, about 134 feet to a point in a stone wall; thence in a southeasterly direction about 12 feet to the point of beginning—containing about 575 square feet;

Parcel "C". Beginning at the northeasterly corner of the granted premises on the northwesterly side of Treble Cove Road, in said Billerica, and at a point in the present northwesterly line of Treble Cove Road as laid out by the County Commissioners in 1934, and running in a southwesterly direction by a curved line of radius 1681.08 feet in the said present northwesterly line of Treble Cove Road, 289.98 feet to a point; thence S. $22^{\circ} 49' 00''$ W., still following the said present northwesterly street line of Treble Cove Road, about 65 feet to a point; thence southwesterly along other land of said County by a curved line of 1450.00 feet radius, about 871 feet to a point; thence turning and running southerly, still along said other land of said County by a curved line of radius of 19.11 feet, 49.61 feet to a stone bound in the said present northwesterly line of Treble Cove Road; thence by a curved line of 900.65 feet radius, following the said present northwesterly street line of Treble Cove Road, about 50 feet to a point; thence northerly partly along a stone wall about 61 feet to a point in said wall; thence along still other land of said County by a curved line of radius 1400.00 feet, about 1075 feet to a point; thence N. $32^{\circ} 42' 00''$ E., still along said other land of said County, 152.69 feet to the point of beginning—containing about 51,000 square feet.

SECTION 2. Upon the relocation of said Treble Cove road all the responsibilities and liabilities incumbent upon a city or town pertaining to highways and public ways shall, with respect to so much of the land described in section one as is used for the purpose of relocating said road, vest in the town of Billerica.

SECTION 3. So much of the land described in section one as is not actually used in the relocation of said Treble Cove road shall continue to be used by the county of Middlesex for house of correction purposes. Any land used for highway purposes under the provisions of this act which ceases to be used or required therefor shall thereafter be used by said county for house of correction purposes.

SECTION 4. This act shall take effect upon its passage.

Approved April 27, 1959.

Chap. 242. AN ACT ESTABLISHING A SELECTMEN-DIRECTOR OF PUBLIC WORKS PLAN FOR THE TOWN OF ROCKPORT.

Be it enacted, etc., as follows:

SECTION 1. *Board of Selectmen.*—At the first town election following the acceptance of this act, the registered voters of the town of Rockport shall elect five selectmen, of whom two shall serve for terms of three years, two for terms of two years, and one for a term of one year. At each annual town election thereafter the voters shall elect in place of those selectmen whose terms are about to expire a like number of selectmen to serve for terms of three years. When a vacancy occurs in the office of selectman, the remaining selectmen may at any time prior to the next town election appoint a qualified person to serve as selectman until such election, at which election the voters shall elect a selectman to serve for the unexpired portion, if any, of the original term. The selectmen in office at the time of said first election shall continue in office until their successors are elected and qualified. The selectmen of said town shall also serve as the board of public welfare.

SECTION 2. *Other Elected Officials.*—In addition to the selectmen, the registered voters of the town shall continue to elect the following officials in accordance with any applicable statutes, by-laws and votes of the town:—

- (a) A moderator.
- (b) A school committee.
- (c) Library trustees.
- (d) A town clerk.
- (e) A collector and treasurer.
- (f) A planning board.
- (g) A board of assessors.

The term of office of any elective office, board or committee so continued, under this section, shall not be interrupted. Every other elective office, board or commission shall be terminated as hereinafter provided, any other provisions of law to the contrary notwithstanding. The term of office of any person elected to any office, board or commission existing at the time of such acceptance and terminated hereunder shall continue until such first town election and until the appointment and qualification of his successor, if any, and thereafter the said offices, boards and commissions shall be abolished and all powers, duties and obligations conferred or imposed thereon by law, except as provided by this act, shall be conferred and imposed upon

the selectmen and exercised by the director of public works, hereinafter called the director, to the extent hereinafter provided. The powers, duties and responsibilities of elected officials shall be as now or hereafter provided by applicable statutes and by-laws and votes of the town, except as otherwise expressly provided herein.

SECTION 3. *Appointed Officials.*—(a) The selectmen shall appoint a director as provided in section six, who may thereafter be removed as provided in section eight.

(b) The selectmen shall appoint a zoning board of appeals, a veterans' agent, a sealer of weights and measures, an inspector of animals, officers and registrars of voters other than a town clerk, a director of civil defence, election officers, a forest warden, a building inspector, a town accountant, a welfare agent, a finance committee, a town attorney, members of the town police department, the fire engineers, members of the board of health and members of the housing authority, and all other committees, boards or officers appointed by the board of selectmen prior to the passage of this act, but not contrary to provisions elsewhere included in this act, and may, subject to the provisions of chapter thirty-one of the General Laws where applicable, remove any or all such appointees.

(c) The moderator shall appoint such boards, committees and officers as he may now or hereafter be directed to appoint by any applicable law, by-law or vote of the town.

(d) The director shall appoint, upon merit and fitness alone, and may, subject to the provisions of said chapter thirty-one where applicable, remove for cause the water and sewer superintendent, the highway superintendent, the park superintendent, the tree and moth superintendent, the cemetery superintendent and the town engineer.

SECTION 4. *Memberships, Terms, Powers, Duties and Responsibilities.*—The number of members of boards, commissions and committees so appointed as provided in the preceding section, the length of the term of each member thereof and of officers so appointed, and the powers, duties and responsibilities of the same shall be as now or hereafter provided by any applicable law, by-law or vote of the town, except as herein otherwise provided. Upon appointment and qualification of the various officials as provided for in section three, the term of office and all powers and duties of each person theretofore holding each such office shall cease and be terminated.

Officers, boards, commissions and committees appointed by the director shall possess all the powers and rights and shall be subject to all the duties and liabilities specifically conferred or imposed by any applicable provision of law upon them or upon officers, boards, commissions or committees having corresponding powers and duties, but in the performance thereof they shall be subject to the general supervision of the director.

SECTION 5. *Multiple Offices.*—A member of the board of selectmen, or of the school committee, or of the finance committee, shall during the term for which he was elected or appointed, be ineligible to hold any other elective or appointive town office or position. Any person elected or appointed to any other office, board, commission or committee under the provisions of this act or of any general or special

law, shall be eligible, during his term of office, for election or appointment to any other town office, board, commission or committee, except that the town accountant shall not be eligible to hold the office of town treasurer or town collector.

Subject to the approval of the selectmen the director may, but without additional compensation therefor, assume the powers, duties and responsibilities of any office which he is authorized to fill by appointment, such assumption to be evidenced by and effective upon the filing with the town clerk of a written declaration of such assumption signed by the director, except he shall not appoint himself as a member of any board or committee.

SECTION 6. *Appointment of Director.*—The selectmen shall appoint, as soon as practicable after the first town election following acceptance of this act or after the occurrence of any vacancy, a director who shall be a person especially fitted by education, training and previous experience in a responsible position, to perform the duties of his office. The director shall be appointed without regard to his political beliefs. He need not be a resident of the town when appointed, but shall be a resident of the town while serving as director should the board of selectmen so decide. During the first five years that the selectmen-director of public works plan is in effect, no present or former elected or appointed official of the town shall be eligible for appointment to the position of director. Before entering upon the duties of his office the director shall be sworn to the faithful and impartial performance thereof by the town clerk, or by a justice of the peace. He shall execute a bond in favor of the town for the faithful performance of his duties in such sum and with such surety or sureties as may be fixed or approved by the selectmen, the premium for said bond to be paid by the town.

SECTION 7. *Acting Director.*—The director may designate, by letter filed with the town clerk, a qualified officer of the town to perform his duties during his temporary absence or disability. Pending the appointment of a director or the filling of any vacancy or the failure of the director to designate a temporary director, or during the suspension of the director, the selectmen shall appoint a suitable person to perform the duties of the office.

SECTION 8. *Removal of Director.*—The selectmen, by a majority vote of the full membership of the board, may remove the director.

SECTION 9. *Compensation of Director.*—The director shall receive such compensation for his services as the selectmen shall determine, but it shall not exceed the amount appropriated therefor by the town.

SECTION 10. *Powers and Duties of Director.*—In addition to other powers and duties expressly provided for in this act, the director shall have the following powers and duties:—

(a) The director shall supervise and direct and shall be responsible for the efficient administration of all offices, boards and committees appointed by him and their respective departments.

(b) The director shall keep full and complete records of his office and shall render as often as may be required by the selectmen a full report of all operations during the period reported on.

(c) The director shall keep the selectmen fully advised as to the needs of the town, and shall recommend to the selectmen for adoption

such measures requiring action by them or by the town as he may deem necessary or expedient.

(d) The director shall have jurisdiction over the rental and use of all town property, except schools. He shall be responsible for the maintenance and repairs of all town property, except school buildings and grounds. He shall be responsible for the preparation of plans and the supervision of work on all construction, reconstruction, alterations, improvements and other undertakings authorized by the town, subject, however, to the approval of the school committee with respect to plans for the construction or improvement of school buildings or property.

(e) The director shall perform such other duties consistent with his office as may be required of him by the by-laws or vote of the town or by the vote of the selectmen.

(f) The director shall have access to all town books and papers for information necessary for the proper performance of his duties.

(g) The director shall purchase all supplies, materials and equipment and shall award all contracts for all departments and activities of the town under his supervision; but only upon and in accordance with a requisition duly signed by the head of any such department.

SECTION 11. *Investigation of Claims.*—Whenever any pay roll, bill or other claim against the town is presented to the director, he shall, if the same seems to him to be of doubtful validity, excessive in amount, or otherwise contrary to the interests of the town, refer it to the selectmen, who shall immediately investigate the facts and determine what, if any, payment should be made. Pending such investigation and determination by the selectmen, payment shall be withheld.

SECTION 12. *Approval of Warrants.*—Warrants for the payment of town funds prepared by the town accountant, in accordance with the provisions of section fifty-six of chapter forty-one of the General Laws, shall be submitted to the board of selectmen. The approval of any such warrant shall be sufficient authority to authorize payment by the town treasurer.

SECTION 13. *Fees paid to Treasury.*—The aggregate compensation of each town officer or employee appointed by the director shall be limited to the amount established in accordance with the provisions of this act, and all fees received in accordance with the provisions of any general or special law shall be paid into the treasury of the town.

SECTION 14. *Certain Officers not to make Contracts with the Town.*—It shall be unlawful for any selectman, the director, or any other elective or appointive official of the town, directly or indirectly, to make a contract with the town, or to receive any reward from, or any share in the profits of, any person or corporation making or performing such contract, unless the official concerned, immediately upon learning of the existence of such contract, or that such a contract is proposed, shall notify the selectmen, by registered mail, of the contract and of the nature of his interest therein, and shall abstain from doing any official act on behalf of the town in reference thereto. In case such interest exists on the part of an officer whose duty it is to make such a contract on behalf of the town, the contract may be made by another officer of the town duly authorized thereto by vote of the selectmen. Violation of any provision of this section shall render the

contract in respect to which such violation occurs voidable at the option of the town. Any person violating any provision of this section shall be punished by a fine of not more than one thousand dollars, or by imprisonment for not more than one year, or by both such fine and imprisonment.

SECTION 15. *Estimate of Expenditures.*—All boards, officers and committees appointed by the director shall annually, submit to him in writing a detailed estimate of the appropriations required for the efficient and proper conduct of their respective departments and offices during the next fiscal year. On or before the first day of December of each year, the director shall submit to each member of the finance committee and of the board of selectmen a copy of his annual budget, which shall contain a careful, detailed estimate of the probable expenditures of his department for the ensuing fiscal year, and showing specifically the amount necessary to be provided for each office, department and activity, together with a statement of the expenditures for the same purposes in the two preceding years and an estimate of expenditures for the current year. He shall also submit a statement showing all revenues received by the town from each department in the two preceding years, together with an estimate of the receipts of the current year.

SECTION 16. *By-Laws, Rules, etc.*—All laws, by-laws, votes, rules and regulations in force in the town of Rockport on the effective date of this act, or any portion thereof, not inconsistent with its provisions, whether enacted by authority of the town or any other authority, shall continue in full force and effect until otherwise provided by law, by-law or vote; all other laws, by-laws, votes, rules and regulations, so far as they refer to the town of Rockport, are hereby repealed and annulled, but such repeal shall not revive any pre-existing enactment.

SECTION 17. *Contracts.*—No contract existing and no action at law or suit in equity, or other proceeding pending at the time this act is accepted, or at the time of revocation of such acceptance, shall be affected by such acceptance or revocation.

SECTION 18. *Submission of Act and Time of Taking Effect.*—This act may be submitted for acceptance by the town of Rockport at a special town meeting called for the purpose in the current year, but, if not so submitted, it shall be so submitted at the annual town election in the year nineteen hundred and sixty. If this act is rejected at such special town meeting, or, not having been submitted at such special town meeting, if it is rejected at said annual town election, it shall again be so submitted at the annual town election in the year nineteen hundred and sixty-one. If it is rejected for a second time at said election in the year nineteen hundred and sixty-one it shall be so submitted for a third and last time at the annual town election in the year nineteen hundred and sixty-three.

The vote on acceptance of this act shall be taken by written ballot, in accordance with the provisions of the General Laws so far as the same shall be applicable, in answer to the following question, which shall be printed upon a ballot to be used at such special town meeting, or upon the official ballot to be used at any such town election:—
“Shall an act passed by the General Court in the year nineteen hundred and fifty-nine entitled ‘An Act establishing a selectmen-director

of public works plan for the town of Rockport', be accepted by the town?" If a majority of the voters voting on this question vote in the affirmative, said act shall take effect immediately for the purpose of the next annual town election, and for all things relating thereto, and shall take full effect beginning with said following election. It shall be the duty of all town officials having to do with elections and holding office at the time of acceptance to do, in compliance with law, all things necessary for the nomination and election of officers first to be elected under this act.

SECTION 19. *Revocation of Acceptance.*—At any time after the expiration of three years from the date of acceptance of this act, and not less than ninety days before the date of an annual meeting, a petition signed by not less than ten per cent of the registered voters of the town may be filed with the selectmen, requesting that the question of revoking the acceptance of this act be submitted to the voters. No such petition shall be valid unless notice thereof shall be published by the selectmen for at least two consecutive weeks in a newspaper having general circulation in the town, the last publication to be at least thirty days prior to said annual meeting. The selectmen shall thereupon direct the town clerk to cause the said question to be printed on the official ballot to be used at the next annual election in the following form:—"Shall the acceptance by the town of Rockport of an act passed by the General Court in the year nineteen hundred and fifty-nine, entitled 'An Act establishing a selectmen-director of public works plan for the town of Rockport', be revoked?" If such revocation is favored by a majority of the voters voting thereon, this act shall cease to be operative on and after the annual meeting next following such vote. All general laws respecting town administration and town officers, and any special laws relative to said town, the operation of which has been suspended or superseded by acceptance of this act, shall be revived by such revocation and shall continue to be in full force and effect. By-laws, votes, rules and regulations in force when such revocation takes effect, so far as they are consistent with the general laws respecting town administration and town officers and with special laws relating to said town, shall not be affected thereby, but any other by-laws, votes, rules and regulations inconsistent with such general or special laws shall be annulled. If such revocation is not favored by a majority of the voters voting thereon, no further petition therefor shall be filed under this section oftener than once in every three years thereafter.

Approved April 27, 1959.

Chap. 243. AN ACT AUTHORIZING THE POSSESSION OF CERTAIN MAMMALS WITHOUT A PERMIT.

Be it enacted, etc., as follows:

The first paragraph of section 105 of chapter 131 of the General Laws, as appearing in section 2 of chapter 599 of the acts of 1941, is hereby amended by inserting after the word "mammal", in line 3, the words:—, excepting a chipmunk, fox, flying squirrel, red squirrel, porcupine, skunk, weasel or woodchuck,—so as to read as follows:—Except as otherwise provided in this chapter, no person shall have in

his possession at any time a live bird or mammal, excepting a chipmunk, fox, flying squirrel, red squirrel, porcupine, skunk, weasel or woodchuck, which is protected by this chapter; but the director, upon written application to him, may issue to any person one or more propagator's licenses under section one hundred and seven.

Approved April 27, 1959.

Chap. 244. AN ACT RELATIVE TO THE EVIDENCE REQUIRED FOR THE PAYMENT OF A BOUNTY FOR KILLING CERTAIN ANIMALS.

Be it enacted, etc., as follows:

Chapter 131 of the General Laws is hereby amended by striking out section 109, as appearing in section 2 of chapter 599 of the acts of 1941, and inserting in place thereof the following section:—*Section 109.* Whoever in any city or town kills a wildecat, Canada lynx or loup-cervier not being in captivity shall, upon producing the body of such animal and furnishing a sworn statement that such animal was killed within such city or town, be entitled to receive from the treasury of such city or town the sum of ten dollars. The city or town treasurer, in order to identify such animal as one for which a bounty has been paid, shall cause the four front teeth of such animal to be broken. All sums so paid shall be repaid to the city or town treasurer by the treasurer of the county where the city or town is situated upon receipt from said city or town of a certificate that a bounty has been paid as herein provided, accompanied by the sworn statement of the claimant.

Approved April 27, 1959.

Chap. 245. AN ACT AUTHORIZING THE CITY OF FITCHBURG TO TRANSFER CERTAIN PARK LAND TO THE PUBLIC WORKS DEPARTMENT FOR HIGHWAY PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The city of Fitchburg, by its board of park commissioners, may transfer to the public works department a tract of land seventy feet wide from Pearl street northerly to Lincoln street for the construction and maintenance of a highway in the westerly portion of Coolidge park to be located within the following described tract of land:—Beginning at the southwest corner on the northerly side line of Pearl Street at land now or formerly of W. H. Ravellett and at a bound marked "F"; thence N. 18° 03' 20" W. 100.76 feet to a bound marked "F"; thence N. 25° 15' 20" W. 142.31 feet to a bound marked "F"; thence N. 23° 01' 40" W. 381.78 feet to a bound marked "F"; thence S. 53° 02' 30" W. 270.60 feet to a bound marked "F" on the easterly side line of East Street; thence N. 11° 49' 00" W. 8.98 feet by the easterly side line of East Street to an angle at East Street and Rice Street; thence N. 81° 19' 30" W. to a point at the northeasterly intersection of Lincoln Street and Rice Street; thence N. 1° 29' W. 972.58 by the easterly side line of Lincoln Street to an angle; thence N. 10° 42' W. 824.76 feet by said street to

a bound marked "F"; thence N. 6° 10' W. 230 feet by said street to an iron pin; thence N. 0° 13' W. 419.71 feet by said street to land formerly owned by the C. H. Greene estate; thence N. 77° 13' E. 102.15 feet by said C. H. Greene estate to an angle; thence S. 58° 38' E. 64.00 feet to the southeast corner of said C. H. Greene estate land; thence S. 34° 00' E. about 1,030 feet to an angle; thence S. 13° 48' 50'' W. 561.71 feet to a stone bound; thence S. 10° 15' E. about 863 feet crossing land of the City of Fitchburg, Coolidge Park, to an angle; thence S. 24° 16' 20'' E. about 625 feet crossing land of the City of Fitchburg, Coolidge Park, to the northerly side line of Pearl Street; thence S. 65° 43' 40'' W. 135 feet by the northerly side line of Pearl Street to the place of beginning.

SECTION 2. The city of Fitchburg, by its board of park commissioners, may transfer to the public works department a tract of land seventy feet wide from North street northwesterly to Rindge road for the construction and maintenance of a highway in McKay park to be located within the following described tract of land:—Beginning at the most easterly corner thereof on the westerly line of said North Street and at land of Roger Fisher; thence by said North Street S. 36° 24' W. 480 feet to land now or formerly of Charles W. Irving et ux; thence by last named land N. 42° 46' W. 79.5 feet to land now or formerly of Edwin M. Knapp; thence by said Knapp land N. 28° 43' W. 363 feet to said Rindge Road; thence by said road N. 26° 09' 30'' W. 56 feet to an angle; thence still by said road curving to the right on a radius 202 feet to an angle (radius of 1025.42 feet); thence still by said road N. 14° 49' 30'' W. 505.40 feet to land of Gifford K. Simonds; thence by said Simonds' land N. 26° 45' 10'' E. 247.83 feet to the middle of Falulah Brook; thence down said brook S. 83° 40' 50'' E. 159.20 feet to an angle; thence by unknown owners' land S. 20° 24' 30'' E. 197 feet to a drill hole, S. 26° 37'' E. 133.57 feet to a stone bound, S. 24° 26' 30'' E. 231.87 feet to a stone bound, S. 23° 09' E. 233.70 feet to a drill hole, S. 2° 25' 30'' W. 40.29 feet to an angle and S. 21° 47' E. 60 feet to land of said Fisher; thence by said Fisher land S. 53° 35' 30'' E. 164 feet to the place of beginning.

Approved April 27, 1959.

Chap. 246. AN ACT CHANGING THE NAME OF THE MASSACHUSETTS SCHOOL OF ART TO THE MASSACHUSETTS COLLEGE OF ART.

Be it enacted, etc., as follows:

SECTION 1. The name of the Massachusetts School of Art is hereby changed to the Massachusetts College of Art.

SECTION 2. Chapter 73 of the General Laws is hereby amended by striking out section 1, as most recently amended by section 1 of chapter 618 of the acts of 1952, and inserting in place thereof the following section:—*Section 1.* The department of education, in this chapter called the department, shall, through its division of teachers colleges, have general management of the state teachers colleges at Boston, Bridgewater, Fitchburg, Framingham, Lowell, North Adams, Salem, Westfield and Worcester, and the Massachusetts college of art at Boston, wherever said colleges may be hereafter located, and of boarding

houses connected therewith, and may direct the expenditure of money appropriated for their maintenance.

SECTION 3. Section 1A of said chapter 73, inserted by section 1 of chapter 499 of the acts of 1952, is hereby amended by striking out, in line 3, the word "school" and inserting in place thereof the word:—college.

SECTION 4. Section 7 of said chapter 73, as most recently amended by section 3 of chapter 605 of the acts of 1958, is hereby further amended by striking out, in line 7, the word "school" and inserting in place thereof the word:—college.

SECTION 5. Section 8 of said chapter 73, inserted by section 4 of chapter 620 of the acts of 1948, is hereby amended by striking out, in line 4, the word "school" and inserting in place thereof the word:—college.

Approved April 27, 1959.

Chap. 247. AN ACT AUTHORIZING THE CITY OF MALDEN TO APPROPRIATE AND PAY SUMS OF MONEY FOR MERCHANDISE PURCHASED AND DELIVERED TO THE WELFARE DEPARTMENT OF SAID CITY.

Be it enacted, etc., as follows:

The city of Malden is hereby authorized to appropriate and pay to Bond Bread Co., one hundred nineteen dollars and seventy-one cents, Gilgums Dairy, three hundred eighty-five dollars and thirty-six cents, Nelson's Bakery, Inc., one hundred thirty-five dollars and eighteen cents, Stop & Shop, Inc., Malden Store No. 377, one hundred four dollars and sixty-seven cents, Johnnie's Fruit Mart, twenty-two dollars and thirty-nine cents, and Webster Thomas Co., seventy-four dollars and ninety-five cents; said sums being in payment for merchandise furnished to the welfare department of said city, payment for which is legally unenforceable against said city.

Approved April 27, 1959.

Chap. 248. AN ACT FURTHER REGULATING THE SALE OF INSTRUMENTS ADAPTED FOR THE SUBCUTANEOUS INJECTION OF NARCOTIC DRUGS.

Be it enacted, etc., as follows:

Paragraph (c) of section 211 of chapter 94 of the General Laws, as amended by chapter 276 of the acts of 1958, is hereby further amended by adding at the end the following two sentences:—The pharmacist filling the prescription shall dispense any such instrument in a sanitary container which shall completely enclose such instrument, and shall affix to said container a label bearing (1) the name and address of the pharmacy, and if said pharmacy is in a hospital, the name and address of said hospital, (2) the name and address of the patient, (3) the number of the prescription, and (4) the name of the physician prescribing the same. The person to whom the prescription is issued shall keep such instrument in said container at all times, excepting when such instrument is in actual use or is in the process of being cleaned.

Approved April 27, 1959.

Chap. 249. AN ACT EXTENDING THE TIME FOR THE MAKING AND ACQUIRING BY BANKING INSTITUTIONS AND INSURANCE COMPANIES OF LOANS TO VETERANS GUARANTEED BY THE ADMINISTRATOR OF VETERANS' AFFAIRS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to extend an additional two years the authority of co-operative banks, credit unions, savings banks, trust companies and insurance companies to lend money on real estate mortgages guaranteed in whole or in part by the Administrator of Veterans' Affairs, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience and welfare.

Be it enacted, etc., as follows:

Chapter 46 of the acts of 1945 is hereby amended by striking out section 1, as most recently amended by chapter 78 of the acts of 1957, and inserting in place thereof the following section:—*Section 1.* Subject to such regulations as the commissioner of banks deems to be necessary or advisable in respect to trust companies, banking companies, savings banks, co-operative banks or credit unions, and to such regulations as the commissioner of insurance deems to be necessary or advisable in respect to insurance companies, any trust company, banking company, savings bank, co-operative bank, credit union or insurance company organized under the laws of this commonwealth is authorized to make and acquire such loans and advances of credit to qualified veterans of World War II, and to any veteran eligible by virtue of active service in the armed forces of the United States on or after June twenty-seventh, nineteen hundred and fifty, and prior to such date as shall be determined by presidential proclamation or concurrent resolution of the congress, as are guaranteed in whole or in part by the administrator of veterans' affairs or his successor or successors in such office under the act of congress known as the Service-men's Readjustment Act of 1944, or any amendment thereof, and to obtain such guarantees or insurance, to collect and apply payments due upon and otherwise to service any such mortgage loan so guaranteed or insured, and with respect to such mortgage loan to make agreements with any mortgagees thereof to collect and apply payments due upon and otherwise to service any such mortgage loan. The authority granted by this section shall terminate on July twenty-fifth, nineteen hundred and sixty-one.

Approved April 28, 1959.

Chap. 250. AN ACT RELATIVE TO THE PERIOD FOR WHICH LICENSES FOR LODGING HOUSES MAY BE GRANTED IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. In the city of Boston, notwithstanding any provisions of sections four and twenty-three of chapter one hundred and forty of the General Laws to the contrary, licenses for lodging houses shall expire on April thirtieth of each year; but they may be granted during April, to take effect on May first following.

SECTION 2. This act shall take effect upon its passage.

Approved April 28, 1959.

Chap. 251. AN ACT MAKING APPROPRIATIONS FOR THE MAINTENANCE OF BERKSHIRE COUNTY, ITS DEPARTMENTS, BOARDS, COMMISSIONS AND INSTITUTIONS, OF SUNDRY OTHER SERVICES, FOR CERTAIN PERMANENT IMPROVEMENTS, FOR INTEREST AND DEBT REQUIREMENTS, AND TO MEET CERTAIN REQUIREMENTS OF LAW AND GRANTING A COUNTY TAX FOR SAID COUNTY.

Whereas, The deferred operation of this act would result in unnecessarily extending the period during which county expenditures would be made in anticipation of appropriation, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. To provide for the maintenance of Berkshire county, its departments, boards, commissions and institutions, of sundry other services, for certain permanent improvements, for interest and debt requirements, and to meet certain requirements of law, the following sums for the several purposes and subject to the conditions specified in section two are hereby appropriated, subject to the provisions of law regulating the disbursement of county funds and the approval thereof for the year nineteen hundred and fifty-nine:—

Item	BERKSHIRE COUNTY	
1. For interest on county debt	\$4,000	00
3. For county commissioners, salaries and expenses	18,702	95
4. For transportation and expenses of county and acting commissioners	1,500	00
5. For clerk of courts, salaries and expenses	25,476	50
6. For county treasurer, salaries and expenses	12,442	25
7. For sheriff, salary and expenses	7,650	00
8. For registries of deeds, salaries and expenses ...	94,243	64
8a. For registry of probate, salaries and expenses ..	6,875	00
9. For law library, salaries and expenses	8,658	45
10. For highways, including state highways, bridges and land damages	206,994	14
11. For examination of dams	1,359	00
12. For criminal costs in superior court	22,016	00
13. For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees	45,205	00
14. For district courts, salaries and expenses	178,958	72
15. For medical examiners and commitments of insane	7,500	00
16. For jail and house of correction, maintenance and operation	123,336	35
17. For training school	800	00
18. For court houses and registry buildings, maintenance and operation	46,563	67
20. For agricultural school or county aid to agriculture, maintenance and operation	44,426	75

Item		
21.	For state reservation, maintenance and operation, Mount Greylock	\$38,890 23
21a.	For state reservation, maintenance and operation, Mount Everett	6,409 00
22.	For hospital or sanatorium	101,373 34
24.	For non-contributory pensions	793 32
25.	For contributory retirement system and supervisory expenses	23,783 80
26.	For miscellaneous and contingent expenses	2,815 05
27.	For unpaid bills of previous years	1,200 00
28.	For reserve fund	6,000 00
29.	For advertising recreational, industrial and agricultural advantages of the county	30,000 00
30.	For forest development in co-operation with the state	1,700 00
32.	For Dutch elm disease	5,000 00
33.	For forest fire patrol	5,000 00
35.	For industrial development commission	61,810 50
39.	For group insurance	8,200 00
Total Amount of Appropriations		\$1,149,683 66
Less Estimated amount available for Reduction of County Tax		205,885 63

And the county commissioners of Berkshire County are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of ... \$943,798 03

SECTION 2. Sums appropriated in section one are based upon detailed schedules approved by the joint committee on counties, copies of which are deposited with the director of accounts.

Said director shall file with the county commissioners and the county treasurer of Berkshire county a certification of the amounts above appropriated as set forth in the approved schedules for said county. Except as provided by this act or except as otherwise provided by law, no liability may be incurred and no expenditure shall be made in excess of the amount available in an existing appropriation for a function, a main group, a class or a sub-class.

Transfers within an appropriation from a main group to another main group may be made upon written request of the authorized official of the organization unit with the written approval of said county commissioners, and copies of said request and approval shall be filed with the county treasurer; provided, however, that no transfer shall be made from the main groups "personal services" or "equipment" to another main group nor shall any transfer be made from any other main group into the main groups "personal services" or "equipment".

Transfers within an appropriation between classes and between sub-classes within a main group may be made by the authorized official of the organization unit whenever in his opinion public necessity and convenience so requires; provided, however, that no transfer

shall be made within the classes of the main groups "personal services" or "equipment".

Amounts included for permanent positions in sums appropriated in section one for personal services are based upon schedules of permanent positions and salary rates as approved by the joint committee on counties, and, except as otherwise shown by the files of said committee, a copy of which shall be deposited with the county personnel board, no part of sums so appropriated in section one shall be available for payment of salaries of any additional permanent positions, or for payments on account of reallocations of permanent positions, or for payments on account of any change of salary range or compensation of any permanent positions, notwithstanding any special or general act to the contrary.

Moneys appropriated under this act for the purchase of equipment shall be expended for the purposes specified in the schedules as approved by the joint committee on counties and for no other purpose.

No direct drafts against the account known as the reserve fund shall be made, but transfers from this account to other accounts may be made to meet extraordinary or unforeseen expenditures upon the request of the county commissioners with the approval of the director of accounts.

SECTION 3. No expense incurred for mid-day meals by county officers and employees, other than those who receive as part of their compensation a non-cash allowance in the form of full or complete boarding and housing, and those county officers and employees who are stationed beyond commuting distance from their homes for a period of more than twenty-four hours, shall be allowed by any county; provided, that officers or employees who have charge of juries or who have the care and custody of prisoners, insane persons or other persons placed in their charge by a court or under legal proceedings for transfer to or from court to an institution or from institution to institution and persons certified by a district attorney as engaged in investigation shall be reimbursed for the expense of mid-day meals when necessarily engaged on such duty; and provided, further, that county officers and employees in attendance at meetings and conferences called by or for any group or class on a statewide basis shall be so reimbursed.

No moneys appropriated under this act shall be expended by county officers or employees for telephone service furnished to such officers or employees at places other than regular county offices.

SECTION 4. The allowance to county officers and employees for expenses incurred by them in the operation of motor vehicles owned by them or by any member of their immediate families and used in the performance of their official duties shall not exceed eight cents a mile, except in cases where a higher allowance is specifically provided by statute; provided, that in the case of commitments of the insane the justice of the court ordering the commitment may order a higher rate. No expenditures shall be made for travel outside the commonwealth for attendance at conferences or conventions.

SECTION 5. Any provision of general or special law to the contrary notwithstanding, any county officer or employee whose salary rate on July first, nineteen hundred and fifty-seven, was limited to an increase

in rate of one thousand dollars shall receive an increase in salary rate of not more than one step in his salary grade, effective on his anniversary date or on July first, nineteen hundred and fifty-nine, in accordance with approved list filed with the county personnel board by the joint committee on counties. *Approved April 28, 1959.*

Chap. 252. AN ACT RELATIVE TO THE MEMBERSHIP OF THE CORPORATION CALLED TRUSTEES OF CLARK UNIVERSITY.

Be it enacted, etc., as follows:

SECTION 1. The last sentence of paragraph (a) of section 4 of chapter 133 of the acts of 1887, as appearing in section 1 of chapter 293 of the acts of 1947, is hereby amended by inserting after the word "office", in line 3, the words:— , except as hereinafter provided,—so as to read as follows:—No alumni member shall be eligible for re-election within one year after the expiration of his term of office, except as hereinafter provided.

SECTION 2. Said section 4 of said chapter 133 is hereby further amended by striking out paragraph (c), as appearing in section 1 of chapter 137 of the acts of 1943, and inserting in place thereof the following paragraph:—

(c) In the event that a vacancy occurs in the number of life members it shall be filled by vote of a majority of the remaining life members at a meeting duly called for the purpose; and in the event of a vacancy in the number of alumni members it shall be filled for the unexpired term of his predecessor by vote of a majority of the members of the alumni council of Clark University, with the approval of a majority of the members of the corporation. An alumni member so elected shall be eligible for re-election to a term of four years or any portion thereof immediately following the expiration of his term of office. *Approved April 28, 1959.*

Chap. 253. AN ACT AUTHORIZING THE TOWN OF WEST STOCKBRIDGE TO APPROPRIATE OR TRANSFER FUNDS TO ADVERTISE THE ADVANTAGES OF SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. The town of West Stockbridge is hereby authorized to appropriate a sum of money, not exceeding five thousand dollars, for advertising the recreational and other advantages of said town, or to transfer any available funds for said purpose, subject to said limitation; provided, that a like amount is raised for the said purpose by private contributions or donations. Any money raised under this section shall be expended under the joint direction of the board of selectmen and the planning board.

SECTION 2. This act shall take effect upon acceptance by the voters of the town of West Stockbridge at a special town meeting called for the purpose in the current year, but not otherwise.

Approved April 28, 1959.

Chap. 254. AN ACT AUTHORIZING THE CITY OF SPRINGFIELD TO REIMBURSE THE WIDOW OF DANIEL J. LAWLER FOR THE EXPENSES OF HIS FUNERAL.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of discharging a moral obligation, the city of Springfield may appropriate and pay to the widow of Daniel J. Lawler, who died June twenty-ninth, nineteen hundred and fifty-eight, as a result of injuries sustained while in the performance of his duty as a member of the fire department of said city, a sum not exceeding twelve hundred thirty-seven dollars, in reimbursement of the expenses of his funeral.

SECTION 2. This act shall take full effect upon its acceptance during the current year by vote of the city council of said city, subject to the provisions of its charter, but not otherwise.

Approved April 28, 1959.

Chap. 255. AN ACT PROHIBITING THE USE OF LIE DETECTOR TESTS BY EMPLOYERS AS A CONDITION OF EMPLOYMENT.

Be it enacted, etc., as follows:

Chapter 149 of the General Laws is hereby amended by inserting after section 19A, inserted by chapter 117 of the acts of 1953, the following section:—*Section 19B.* No employer shall require or subject any employee to any lie detector tests as a condition of employment or continued employment. Any person violating this section shall be punished by a fine of not more than two hundred dollars.

Approved April 28, 1959.

Chap. 256. AN ACT FURTHER REGULATING FRATERNAL BENEFIT SOCIETIES AND CEMETERY CORPORATIONS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 176 of the General Laws is hereby amended by inserting after section 22 the following section:—*Section 22A.* No society shall by its by-laws or by any contract or policy made or issued by it in this commonwealth restrict the payment of benefits or any part thereof accruing under such by-laws, contract or policy upon the death of a member or of the person insured, as the case may be, to a designated funeral director or group of funeral directors, or in any way deprive the personal representative or family of the deceased of freedom of choice in procuring and purchasing supplies and services in connection with the burial of such deceased.

Such benefits or any part thereof shall be paid to such funeral director as the person or persons entitled to said benefits or the personal representative of the deceased shall direct.

SECTION 2. Chapter 114 of the General Laws is hereby amended by inserting after section 5 the following section:—*Section 5A.* No such cemetery corporation shall deny the right to perform burials and the functions incidental thereto to the funeral director designated by

the representative of the deceased, provided the deceased is otherwise entitled to interment in said cemetery.

SECTION 3. Every fraternal benefit society shall be subject to the provisions of section twenty-two A of chapter one hundred and seventy-six of the General Laws, inserted by section one of this act, notwithstanding any special law to the contrary.

Approved April 30, 1959.

Chap. 257. AN ACT VALIDATING THE ACTION OF THE TOWN OF MILTON IN VOTING TO SELL AND CONVEY CERTAIN PARK LAND TO HOWARD LESLIE.

Be it enacted, etc., as follows:

SECTION 1. The action taken by the town of Milton at an adjourned town meeting held on March fourteenth, nineteen hundred and fifty-nine, in voting to sell and convey to Howard Leslie of Milton a certain parcel of park land situated off Brook road in said town, containing about one thousand six hundred and seventy-three square feet and shown on a plan entitled "Plan Showing Area Proposed to be Conveyed to Howard Leslie by Town of Milton—Park Department, December 1958. Scale: 1 inch = 40 ft.," is hereby validated.

SECTION 2. This act shall take effect upon its passage.

Approved May 4, 1959.

Chap. 258. AN ACT AUTHORIZING THE TOWN OF PEMBROKE TO BORROW FOR PURCHASING CERTAIN REAL ESTATE FOR USE AS A FIRE STATION AND VALIDATING THE ACTION OF SAID TOWN IN CONNECTION THEREWITH.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of purchasing the land described on the assessors' plans as Lot No. 80 on Map C-9 and the building thereon for use as a fire station, the town of Pembroke may appropriate the sum of twenty-five hundred dollars from available free cash in the treasury and may borrow the sum of eleven thousand dollars by the issuance of bonds or notes. Such bonds or notes shall bear on their face the words Pembroke Fire Station Loan, Act of 1959, and shall be payable in not more than five years from the date of issue. Indebtedness incurred under this act shall be within the statutory limit but shall, except as provided herein, be subject to chapter forty-four of the General Laws, inclusive of the limitation contained in the first paragraph of section seven thereof.

SECTION 2. Any action taken by the town of Pembroke at its annual town meeting in the current year pursuant to authority contained in section one shall be valid and effective for all purposes as though this act were in effect at the time of the posting of the warrant for said annual town meeting.

SECTION 3. This act shall take effect upon its passage.

Approved May 4, 1959.

Chap. 259. AN ACT PROVIDING THAT THE FAILURE TO REGISTER OR THE IMPROPER REGISTRATION OF A MOTOR VEHICLE SHALL NOT BE DEEMED TO RENDER THE VEHICLE A NUISANCE OR TO RENDER ANY PERSON A TRESPASSER UPON A WAY.

Be it enacted, etc., as follows:

Section 9 of chapter 90 of the General Laws is hereby amended by striking out the third sentence, as appearing in chapter 85 of the acts of 1956, and inserting in place thereof the following sentence:—Violation of this section shall not be deemed to render the motor vehicle or trailer a nuisance or any person a trespasser upon a way and shall not constitute a defense to, or prevent a recovery in, an action of tort for injuries suffered by a person, or for the death of a person, or for damage to property, unless such violation by the person injured or killed or sustaining the damage was in fact a proximate cause of such injury, death or damage, but violation of this section shall be deemed evidence of negligence on the part of the violator.

Approved May 4, 1959.

Chap. 260. AN ACT AUTHORIZING THE CITY OF MEDFORD TO INDEMNIFY CHARLES F. BRYSON FOR CERTAIN EXPENSES INCURRED BY HIM.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of discharging a moral obligation, the city of Medford may appropriate and pay the sum of twelve hundred dollars to Charles F. Bryson of Medford to indemnify him for expenses incurred in the settlement of a suit brought against him by James A. Dykman, resulting from an automobile accident occurring on March thirty-first, nineteen hundred and fifty-seven, while said Charles F. Bryson was driving a city owned vehicle in his capacity as an auxiliary policeman of said city.

SECTION 2. This act shall take effect upon its acceptance during the current year by vote of the city council of said city, in accordance with the provisions of its charter, but not otherwise.

Approved May 4, 1959.

Chap. 261. AN ACT RELATIVE TO RETIREMENT OR INSURANCE BENEFITS, OR BOTH, FOR CERTAIN CLASSES OF INSURANCE AGENTS.

Be it enacted, etc., as follows:

Section 36A of chapter 175 of the General Laws, inserted by chapter 496 of the acts of 1948, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:—Any domestic life company or any domestic company transacting business solely under subdivisions (a) and (d) of clause sixth of section forty-seven, with written approval of the commissioner, may establish a plan for retirement or insurance benefits, or both, for agents, or any class or classes thereof as the company may determine, having a written contract with such company or with any agent thereof under which he

solicits exclusively applications for policies of life or endowment insurance or annuity or pure endowment contracts or accident and health insurance issued by such company, and for the agency employees of any agent having such a contract; provided, that qualification requirements for such plans and the determination of the amounts of such retirement benefits shall be based exclusively upon the solicitation and sale of life or endowment insurance or annuity or pure endowment contracts or accident and health insurance for such company and shall not in any manner directly or indirectly be based upon the solicitation or sale of any other kind of insurance by said agent.

Approved May 4, 1959.

Chap. 262. AN ACT AUTHORIZING THE CITY OF LEOMINSTER TO PAY A CERTAIN SUM OF MONEY TO THE L. & H. REALTY CORPORATION AS DAMAGES FOR THE TAKING OF ITS LAND.

Be it enacted, etc., as follows:

SECTION 1. The city of Leominster is hereby authorized to appropriate and pay to the L. & H. Realty Corporation the sum of three thousand dollars as damages for the taking of its land and building located on Manning avenue in said city for off-street parking purposes, said taking being more particularly described in an order of taking by the city of Leominster, dated December thirteenth, nineteen hundred and fifty-four.

SECTION 2. This act shall take effect upon its acceptance during the current year by vote of the city council of said city, in accordance with the provisions of its charter, but not otherwise.

Approved May 4, 1959.

Chap. 263. AN ACT AUTHORIZING THE CITY OF QUINCY TO APPROPRIATE AND PAY A CERTAIN SUM OF MONEY TO R. W. LEBARON, INC. OF WALTHAM.

Be it enacted, etc., as follows:

SECTION 1. The city of Quincy is hereby authorized to appropriate and pay the sum of seven hundred and fifty-nine dollars and thirty-eight cents to R. W. LeBaron, Inc., of Waltham, for services rendered and materials furnished to said city in the years nineteen hundred and fifty-three, nineteen hundred and fifty-five, nineteen hundred and fifty-six and nineteen hundred and fifty-seven for the repair of traffic signals and controls, which sum is legally uncollectible from said city.

SECTION 2. No bill for such services or materials shall be approved by the auditor of said city for payment or paid by the treasurer thereof under authority of this act unless and until a certificate has been signed and filed with said city auditor, in each instance, stating under the penalties of perjury that said services were rendered to said city and said materials were actually furnished.

SECTION 3. Any person who knowingly files a certificate required by section two which is false, and who thereby receives payment for

services which were not rendered to said city or materials which were not furnished to said city shall be punished by imprisonment for not more than one year or by a fine of not more than three hundred dollars, or both.

SECTION 4. This act shall take effect upon its acceptance during the current year by vote of the city council of said city, in accordance with the provisions of its charter, but not otherwise.

Approved May 4, 1959.

Chap. 264. AN ACT DESIGNATING THAT PORTION OF THE REVERE BEACH PARKWAY ADJACENT TO UNION STREET IN THE CITY OF CHELSEA AS JAMES SAMPSON SQUARE.

Be it enacted, etc., as follows:

That portion of the Revere Beach Parkway adjacent to Union street in the city of Chelsea is hereby designated as James Sampson Square. The metropolitan district commission is hereby authorized and directed to place thereon in a conspicuous place a suitable marker bearing said designation.

Approved May 4, 1959.

Chap. 265. AN ACT RELATIVE TO THE MOLESTING, ATTACKING OR KILLING OF DEER BY DOGS IN BERKSHIRE COUNTY.

Be it enacted, etc., as follows:

SECTION 1. Section 88 of chapter 131 of the General Laws, as appearing in section 2 of chapter 599 of the acts of 1941, is hereby amended by adding at the end the following sentence:—The provisions of this section shall not apply in Berkshire county.

SECTION 2. Said chapter 131 is hereby further amended by inserting after section 88 the following section:—*Section 88A.* Any person who owns, keeps or possesses a dog which during the period from the close of the rabbit season to the first day of May in each year is found molesting, attacking or killing deer in Berkshire county shall be punished by a fine of twenty-five dollars. An enforcement officer in the division of law enforcement may, without any liability on his part, destroy any dog found molesting, attacking or killing deer in said county during said period. The provisions of section sixteen shall not be applicable to this section.

Approved May 4, 1959.

Chap. 266. AN ACT AUTHORIZING THE CITY OF SPRINGFIELD TO APPROPRIATE MONEY FOR THE PAYMENT OF, AND TO PAY, CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

SECTION 1. The city of Springfield is hereby authorized to appropriate money for the payment of, and after such appropriation,

the treasurer of said city is hereby authorized to pay, such of the unpaid bills incurred by said city and totalling three thousand four hundred forty-one dollars and eighty cents, as set forth in the list on file in the office of the director of accounts in the department of corporations and taxation, as are legally unenforceable against said city, by reason of their being incurred in excess of available appropriations, and as are certified for payment by the personnel department, wherein the bills were contracted; provided, that the money so appropriated to pay such bills shall be raised by taxation in said city.

SECTION 2. No bill shall be approved by the city auditor of said city for payment or paid by the treasurer thereof under authority of this act unless and until certificates have been signed and filed with said city auditor, stating under the penalties of perjury that the goods, materials or services for which bills have been submitted were ordered by an official or an employee of said city, and that such goods and materials were delivered and actually received by said city or that such services were rendered to said city, or both.

SECTION 3. Any person who knowingly files a certificate required by section two, which is false and who thereby receives payment for goods, materials or services which were not received by or rendered to said city, shall be punished by imprisonment for not more than one year or by a fine of not more than three hundred dollars, or both.

SECTION 4. This act shall take effect upon its acceptance during the current year by vote of the city council of said city, in accordance with the provisions of its charter, but not otherwise.

Approved May 4, 1959.

Chap. 267. AN ACT AUTHORIZING THE CITY OF SPRINGFIELD TO APPROPRIATE MONEY FOR THE PAYMENT OF, AND TO PAY, CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

SECTION 1. The city of Springfield is hereby authorized to appropriate money for the payment of, and after such appropriation, the treasurer of said city is hereby authorized to pay, such of the unpaid bills incurred by said city and totalling two thousand one hundred sixteen dollars and fourteen cents, as set forth in the list on file in the office of the director of accounts in the department of corporations and taxation, as are legally unenforceable against said city, by reason of their being incurred in excess of available appropriations, and as are certified for payment by the veterans' service department, wherein the bills were contracted; provided, that the money so appropriated to pay such bills shall be raised by taxation in said city.

SECTION 2. No bill shall be approved by the city auditor of said city for payment or paid by the treasurer thereof under authority of this act unless and until certificates have been signed and filed with said city auditor, stating under the penalties of perjury that the goods, materials or services for which bills have been submitted were ordered by an official or an employee of said city, and that such goods and

materials were delivered and actually received by said city or that such services were rendered to said city, or both.

SECTION 3. Any person who knowingly files a certificate required by section two, which is false and who thereby received payment for goods, materials or services which were not received by or rendered to said city, shall be punished by imprisonment for not more than one year or by a fine of not more than three hundred dollars, or both.

SECTION 4. This act shall take effect upon its acceptance during the current year by vote of the city council of said city, in accordance with the provisions of its charter, but not otherwise.

Approved May 4, 1959.

Chap. 268. AN ACT PROVIDING THAT NO PETITION PROPOSING THE SAME PLAN OF CITY CHARTER WHICH HAS BEEN REJECTED SHALL BE FILED WITHIN FOUR YEARS THEREAFTER.

Be it enacted, etc., as follows:

Section 12 of chapter 43 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 3, the words "one year" and inserting in place thereof the words:—four years,—so as to read as follows:—*Section 12.* Should a majority of the votes cast be against the adoption of the plan proposed, no petition proposing the same plan shall be filed within four years thereafter; but a petition proposing the adoption of one of the other plans provided for in this chapter may be filed at any time thereafter, and, subject to section ten, proceedings thereon shall be had as though no prior petition under this chapter had been filed.

Approved May 4, 1959.

Chap. 269. AN ACT CHANGING THE TIME FOR COMMENCING ACTIONS TO RECOVER LAND AND FOR MAKING ENTRIES THEREON TO TWENTY-FIVE YEARS IN CERTAIN CASES.

Be it enacted, etc., as follows:

SECTION 1. Section 25 of chapter 260 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding after the word "removed", in line 5, the words:—, if within twenty-five years after the right of action or of entry first accrued.

SECTION 2. Section 26 of said chapter 260, as so appearing, is hereby amended by adding after the word "death", in line 6, the words:—, if within twenty-five years after the right of action or of entry first accrued.

SECTION 3. This act shall apply to rights of action and of entry existing on the effective date of this act except that action may be commenced or entry made at any time before January first, nineteen hundred and sixty-one, if a period of twenty-five years after the right of action or of entry first accrued has expired before the effective date of this act or will expire before January first, nineteen hundred and sixty-one.

Approved May 4, 1959.

Chap. 270. AN ACT AUTHORIZING A CITY OR TOWN TO TRANSFER PARKING METER RECEIPTS TO ITS GENERAL FUNDS AS PAYMENTS IN LIEU OF TAXES ON CERTAIN MUNICIPALLY OWNED PARKING AREAS AND FACILITIES.

Be it enacted, etc., as follows:

Chapter 40 of the General Laws is hereby amended by striking out section 22B, as amended by chapter 92 of the acts of 1953, and inserting in place thereof the following section:—*Section 22B.* Any city or town having installed parking meters may acquire off-street parking areas and facilities by purchase, gift, eminent domain under chapter seventy-nine or chapter eighty A, by lease not to exceed five years, or otherwise, and may pay for such acquisition or lease, including the cost of policing, constructing or reconstructing, surfacing, operating and maintaining such areas and facilities, and including any debt incurred for such acquisition, in whole or in part, from any receipts from said parking meters and may in each year transfer or pay into its general funds from said receipts a sum or sums in lieu of taxes for the year in question upon the average assessed valuation of said areas and facilities for the three years immediately prior to the date of said acquisition, determined by multiplying each one thousand dollars of such average valuation or fraction thereof by the tax rate set for said city or town for that year; provided, that the off-street parking areas and facilities are located not more than six hundred feet from a building in which the principal activity is business, commercial, manufacturing or industrial in character, and which building is in a business, commercial, manufacturing or industrial zone, but is not more than six hundred feet from the nearest parking meter of any group of not less than thirty parking meters approved by the department of public works.

Approved May 4, 1959.

Chap. 271. AN ACT REPEALING AUTHORIZATION GRANTED THE CITY OF MEDFORD TO TRANSFER CERTAIN LANDS UNDER THE JURISDICTION OF ITS PARK DEPARTMENT TO THE JURISDICTION OF THE CITY.

Be it enacted, etc., as follows:

Chapter seven hundred and forty-one of the acts of nineteen hundred and fifty-seven is hereby repealed.

Approved May 4, 1959.

Chap. 272. AN ACT PROVIDING FOR TENURE OF OFFICE FOR THE INCUMBENT OF THE OFFICE OF CHIEF OF POLICE OF THE TOWN OF DIGHTON.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of Charles Mason, the incumbent of the office of chief of police of the town of Dighton, shall be unlimited. Said incumbent shall not be removed from office, lowered in rank or suspended, except for just cause and for reasons specifically given him in writing by the board of selectmen.

SECTION 2. This act shall be submitted to the voters of said town of Dighton at the next annual town meeting in the form of the following question which shall be placed upon the official ballot to be used for the election of town officers at said meeting:—"Shall an act passed by the General Court in the year nineteen hundred and fifty-nine, entitled 'An Act providing for tenure of office for the incumbent of the office of chief of police of the town of Dighton', be accepted?" If a majority of the votes in answer to said question is in the affirmative, then this act shall thereupon take full effect, but not otherwise.

Approved May 4, 1959.

Chap. 273. AN ACT EXEMPTING CERTAIN VETERANS WHO HAVE LOST THE SIGHT OF ONE EYE FROM THE PAYMENT OF THE EXCISE ON MOTOR VEHICLES OWNED AND REGISTERED BY THEM.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide immediately for an exemption of the payment of the excise on motor vehicles owned and registered by certain disabled veterans, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 60A of the General Laws is hereby amended by striking out the fifth paragraph, as most recently amended by section 4 of chapter 403 of the acts of 1955, and inserting in place thereof the following paragraph:—

The excise imposed by this section shall not apply to a motor vehicle owned, operated and registered by a World War I, World War II or Korean veteran who according to the records of the United States Veterans Administration, by reason of service in the armed forces of the United States, has suffered loss, or permanent loss of use of, one or both feet, or loss, or permanent loss of use of, one or both hands; nor to a motor vehicle owned and registered by a World War I, World War II or Korean veteran who is receiving a statutory award from the Veterans Administration for the loss of sight of one eye or who according to the records of the United States Veterans Administration, by reason of service in the armed forces of the United States has suffered permanent impairment of vision of both eyes of the following status: central visual acuity of 20/200 or less in the better eye, with corrective glasses, or central visual acuity of more than 20/200 if there is a field defect in which the peripheral field has contracted to such an extent that the widest diameter of visual field subtends an angular distance no greater than twenty degrees in the better eye. This exemption shall apply only to motor vehicles owned or operated for the personal, non-commercial use of said veterans.

SECTION 2. This act shall take effect as of January first, nineteen hundred and fifty-nine, and shall apply to the excise levied in the year nineteen hundred and fifty-nine and subsequent years.

Approved May 5, 1959.

Chap. 274. AN ACT PROVIDING FOR THE POLICING OF THE GENERAL EDWARD LAWRENCE LOGAN INTERNATIONAL AIRPORT BY THE STATE POLICE.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for effective policing at the General Edward Lawrence Logan International Airport, by the state police, therefore this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

Be it enacted, etc., as follows:

SECTION 1. Chapter 22 of the General Laws is hereby amended by inserting after section 9I, inserted by chapter 548 of the acts of 1956, the following two sections:—*Section 9J.* The commissioner is hereby authorized and directed to enter into an agreement with the Massachusetts Port Authority for police service to be furnished to the Authority by the department at the General Edward Lawrence Logan International Airport. Said agreement shall fix the legal responsibility pertaining to the operation and maintenance of such service and shall include, among other provisions, a provision for payments to the commonwealth for the cost of retirement, compensation of injured officers, sick leave, or other employee benefits, and a minimum allowance for departmental supervision. Said agreement shall also include a provision that all expenses incurred by the department in supplying such police service shall, upon proper requisition, be paid by the Authority as such expenses are incurred.

Section 9K. The commissioner may appoint and organize a state police force of such size as he and the Authority may agree upon, in addition to any other force authorized by law, to be assigned to the Massachusetts Port Authority to meet the requirements of section twenty-three of chapter four hundred and sixty-five of the acts of nineteen hundred and fifty-six, as amended by section eleven of chapter five hundred and ninety-nine of the acts of nineteen hundred and fifty-eight. The officers of the state police force, so appointed and so assigned, shall have the same powers and be subject to the same qualifications, orders or restrictions as officers appointed under the provisions of section nine A. During such assignment, such officers, in the performance of their duties, shall be subject to the control of the commissioner, but shall perform such police duties as may be requested by the Authority. Any officer, so appointed and so assigned, may be reassigned to general duties the same as those officers appointed under the provisions of said section nine A, and any officer appointed as provided in section nine A may be substituted by assignment for any officer appointed under this section. Any officer so appointed, assigned or reassigned shall for the purposes of salary, seniority, retirement or other rights be considered as appointed under the provisions of said section nine A, and the assignment or reassignment shall in no way impair any rights to which an officer may be entitled, and such officer shall at all times be considered to be an employee of the commonwealth.

Any officer assigned to duty with the Authority shall receive his entire compensation during the period of his assignment from the Authority, and the appointment and assignment of such officers by the

commissioner shall in no way be considered a violation of any provisions of chapter twenty-nine. All assignments and reassignments to the Authority hereunder and under section nine A, except as the commissioner shall determine that an emergency exists or is threatened, shall be subject to the approval of the Authority.

SECTION 2. Members of the uniformed branch of the division of state police in the department of public safety, during such period or periods as they may be assigned or reassigned to the Massachusetts Port Authority, under the provisions of sections nine J and nine K of chapter twenty-two of the General Laws, inserted by section one of this act, shall be considered as employees of the commonwealth and entitled to all rights and benefits accorded employees of the commonwealth under the provisions of chapter thirty-two of the General Laws. Said Authority is hereby authorized and directed to make such deductions as are required to be made by said chapter thirty-two and to transmit such deductions monthly, together with a report showing the amount of regular compensation paid to and the amount deducted from the salary of each such member for retirement purposes, to the state board of retirement.

Approved May 5, 1959.

Chap. 275. AN ACT AUTHORIZING THE TOWN OF NANTUCKET TO BORROW MONEY FOR RECONSTRUCTING AND MAKING EXTRAORDINARY REPAIRS TO ITS SEWER FORCE MAIN.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of reconstructing and making extraordinary repairs to the sewer force main, the town of Nantucket may borrow, within a period of two years from the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, seventy-five thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Nantucket Sewer Reconstruction Loan, Act of 1959. Any such loan shall be paid in not more than ten years from its date.

SECTION 2. Any action taken under authority of this act at the annual or at a special town meeting of the town of Nantucket held in the current year shall be as effective in all respects as though this act had been in full force and effect on the date when the warrant for said meeting was posted.

SECTION 3. This act shall take effect upon its passage.

Approved May 5, 1959.

Chap. 276. AN ACT PROVIDING THAT A MEMBER OF THE BOARD OF REGISTRATION IN EMBALMING AND FUNERAL DIRECTING MAY SERVE MORE THAN ONE FULL TERM.

Be it enacted, etc., as follows:

The second paragraph of section 29 of chapter 13 of the General Laws, as appearing in section 1 of chapter 653 of the acts of 1954, is hereby amended by striking out the last sentence.

Approved May 5, 1959.

Chap. 277. AN ACT EXTENDING THE PERIOD OF OPERATION OF THE LAW AUTHORIZING THE TRIAL OF CIVIL ACTIONS IN THE CENTRAL DISTRICT COURT OF WORCESTER BY A JURY OF SIX.

Be it enacted, etc., as follows:

Section 14 of chapter 738 of the acts of 1956 is hereby amended by striking out, in line 4, the word "fifty-nine" and inserting in place thereof the word:—sixty-one.

Approved May 5, 1959.

Chap. 278. AN ACT AUTHORIZING THE ISSUANCE OF AN ALCOHOLIC BEVERAGE LICENSE TO THE MARLBOROUGH LODGE NO. 1129, LOYAL ORDER OF MOOSE, INCORPORATED.

Be it enacted, etc., as follows:

Notwithstanding any limitation on the number of licenses under the provisions of section seventeen of chapter one hundred and thirty-eight of the General Laws, but subject, however, to all other provisions of said chapter, including the provisions of section sixteen C thereof, the licensing board of the city of Marlborough is hereby authorized to issue to the Marlborough Lodge No. 1129, Loyal Order of Moose, Incorporated an annual license to sell all alcoholic beverages, to be drunk on its premises, to members and to guests introduced by such members and to no others.

Said license shall not be transferable to any other licensee and shall not be included in the number of licenses issued under authority of said section seventeen; provided, however, that if there is an addition to the quota of such licenses in said city under said section seventeen because of an increase in population in said city, then said license shall be included in such new quota.

Approved May 5, 1959.

Chap. 279. AN ACT AUTHORIZING THE SELECTMEN OF THE TOWN OF READING TO CALL A SPECIAL TOWN ELECTION FOR THE PURPOSE OF ASCERTAINING, BY THE USE OF AN OFFICIAL BALLOT, THE WILL OF THE VOTERS RELATIVE TO CONTINUING THE FLUORIDATION OF THE WATER SUPPLY OF SAID TOWN.

Be it enacted, etc., as follows:

The selectmen of the town of Reading are hereby authorized to call a special town election in said town in the current year, at which election there shall be submitted to the voters the following question which shall be printed upon the official ballot which shall be used at said election:—"Are you in favor of fluoride supplementation of the Reading water supply?" If a majority of those voting vote in favor of such supplementation it shall be deemed and taken to be the will of the voters of said town that the public water supply shall continue to be fluoridated, and if a majority of votes cast in answer to said question is in the negative, it shall be deemed and taken to be the will of said voters that such supply shall not be fluoridated.

Approved May 5, 1959.

Chap. 280. AN ACT INCREASING THE NUMBER OF TRUSTEES OF THE SPRINGFIELD MUNICIPAL HOSPITAL.

Be it enacted, etc., as follows:

SECTION 1. Chapter 455 of the acts of 1948 is hereby amended by striking out section 2 and inserting in place thereof the following section:—*Section 2.* Notwithstanding the provisions of any general or special law, the construction and operation of said hospital shall be vested in a board of twelve trustees. One of said trustees shall be the commissioner of public health in said city by virtue of his office. Six members of the board of trustees, other than the said commissioner, shall be appointed by the mayor, subject to confirmation by the board of aldermen, and shall be practicing physicians and surgeons in said city, but not more than two trustees shall be members of the staff of any one general hospital in said city. The remaining five trustees shall be laymen and shall be appointed by the mayor, subject to confirmation by the board of aldermen. Upon the expiration of the term of any trustee, his successor shall be appointed for a term of six years. Any vacancy in the board of trustees shall be filled for the unexpired term in the same manner as the original appointment was made. The board shall elect annually one of its members to serve as chairman, and the members of the board shall receive no compensation as such.

SECTION 2. Any person serving as a member of the board of trustees of the Springfield Municipal Hospital on the effective date of this act shall continue to serve until the expiration of the term for which he was appointed. The initial appointments of the five additional members of said board, authorized under section two of said chapter four hundred and fifty-five, as amended by section one of this act, shall be as follows: one for a term of two years, one for a term of three years, one for a term of four years, one for a term of five years and one for a term of six years from the date of the organization of the city government in the year following his appointment. Upon the expiration of the term of any member of said board of trustees, his successor shall be appointed in the manner and for the term provided in said section two.

SECTION 3. This act shall take effect upon its passage.

Approved May 6, 1959.

Chap. 281. AN ACT AUTHORIZING THE ACCEPTANCE OF FEDERAL AID FOR CERTAIN SEWERAGE WORKS WITHIN THE SOUTH METROPOLITAN DISTRICT, AND FURTHER PROVIDING FOR ASSESSMENTS TO BE PAID BY THE TOWN OF WESTWOOD.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of further carrying out the construction authorized by chapter three hundred and eighty of the acts of nineteen hundred and fifty-five, as amended by section one of chapter seven hundred and sixty-four of the acts of nineteen hundred and fifty-seven, the metropolitan district commission is authorized to apply for and accept any federal funds as a grant or reimbursement avail-

able for sewerage projects, and any such funds received prior to the issuing of bonds authorized to be sold under section fourteen of said chapter three hundred and eighty, as amended by section one of said chapter seven hundred and sixty-four, shall be used without further appropriation, notwithstanding the provisions of any general or special law to the contrary, in lieu of the issuing of such bonds, and the total of the bonds authorized under said section fourteen shall be reduced by the amount of federal funds so received. In the event that such federal funds shall be received after the issuance of the total amount of bonds authorized under said section fourteen, said federal funds shall be credited to the Metropolitan District Sewerage Loan, Act of 1957, redemption account.

SECTION 2. In the event federal aid is received as provided for in this act, the amount of the additional, annual special assessment to be paid by the town of Westwood as provided for in section fourteen of chapter three hundred and eighty of the acts of nineteen hundred and fifty-five, as amended by section one of chapter seven hundred and sixty-four of the acts of nineteen hundred and fifty-seven, shall be one-twentieth of the difference between four hundred and fifty thousand dollars and the amount of the federal aid so received.

SECTION 3. This act shall take effect upon its passage.

Approved May 6, 1959.

Chap. 282. AN ACT MAKING PROPERTY DAMAGE INSURANCE COVERAGE, SO CALLED, OR EQUIVALENT INDEMNITY OR PROTECTION, A PREREQUISITE TO THE REGISTRATION OF MOTOR VEHICLES TO BE LEASED UNDER THE "DRIVE-IT-YOURSELF" OR ANY SIMILAR SYSTEM.

Be it enacted, etc., as follows:

SECTION 1. Section 32E of chapter 90 of the General Laws, inserted by section 1 of chapter 209 of the acts of 1934, is hereby amended by adding at the end the following paragraph:—

Every lessor shall provide and maintain, during such time as he engages in the business of leasing motor vehicles under any system referred to in section thirty-two C, a motor vehicle liability policy or bond or deposit, which, in addition to providing indemnity, protection or security for personal injuries, shall further provide indemnity, protection or security for damage to property as required by the provisions of this chapter.

SECTION 2. The paragraph defining "Motor vehicle liability bond" in section 34A of said chapter 90, as appearing in section 2 of chapter 459 of the acts of 1935, is hereby amended by inserting after the word "person", in line 24, the following:— ; provided, however, that in the case of a person who is engaged in the business of leasing motor vehicles under any system referred to in section thirty-two C, the words "motor vehicle liability bond" shall mean a bond as described herein but conditioned further that the obligor shall within thirty days after the rendition thereof satisfy all judgments rendered against him or against

any person responsible for the operation of the obligor's motor vehicle with his express or implied consent, including such consent imputed under section thirty-two E, in actions to recover damages for injury to property sustained during the term of said bond by any person, and arising out of the ownership, operation, maintenance, control or use upon the ways of the commonwealth of such motor vehicle, to the amount or limit of at least one thousand dollars on account of any such injury to property.

SECTION 3. The paragraph defining "Motor vehicle liability policy" in said section 34A of said chapter 90, as so appearing, is hereby amended by inserting after the word "policy", in line 26, the following:— ; provided, however, that in the case of a person who is engaged in the business of leasing motor vehicles under any system referred to in section thirty-two C, the words "motor vehicle liability policy" shall mean a policy of liability insurance as described herein and providing, in addition, indemnity for or protection to the insured and any person responsible for the operation of the insured's motor vehicle with his express or implied consent, including such consent imputed under section thirty-two E, against loss by reason of the liability to pay damages to others for injury to property sustained during the term of the policy by any person, and arising out of the ownership, operation, maintenance, control or use upon the ways of the commonwealth of such motor vehicle, to the amount or limit of at least one thousand dollars on account of any such injury to property.

SECTION 4. The first sentence of section 34D of said chapter 90, as appearing in section 4 of chapter 571 of the acts of 1949, is hereby amended by inserting after the word "judgment", in line 25, the following:— ; provided, however, that if the applicant for registration is engaged in the business of leasing motor vehicles under any system referred to in section thirty-two C, such applicant shall deposit with said treasurer additional security in the amount or value of at least one thousand dollars for the payment by such applicant or by any person responsible for the operation of such applicant's motor vehicle with his express or implied consent, including such consent imputed under section thirty-two E, of all judgments rendered against such applicant or against such person in actions to recover damages for injury to property sustained during the term of registration by any person, and arising out of the ownership, operation, maintenance, control or use upon the ways of the commonwealth of such motor vehicle, to the amount or limit of at least one thousand dollars on account of any such judgment.

SECTION 5. Section 34J of said chapter 90, as appearing in the Tercentenary Edition, is hereby amended by adding at the end the following sentence:—This section shall not apply to a person who operates a motor vehicle leased under any system referred to in section thirty-two C without knowledge that the lessor thereof has not complied with the provisions of section thirty-two E relative to providing indemnity, protection or security for property damage.

SECTION 6. The provisions of this act shall apply to the registration of motor vehicles for the year nineteen hundred and sixty and for subsequent years.

Approved May 6, 1959.

Chap. 283. AN ACT AUTHORIZING THE CONSOLIDATION OF THE CHILDREN'S HOSPITAL AND THE CHILDREN'S MEDICAL CENTER, INC. UNDER THE NAME OF THE CHILDREN'S HOSPITAL MEDICAL CENTER AND THE CONSOLIDATION OF CERTAIN OTHER CHARITABLE CORPORATIONS WITH THE CHILDREN'S HOSPITAL MEDICAL CENTER.

Be it enacted, etc., as follows:

SECTION 1. The Children's Hospital, incorporated by chapter forty-four of the acts of eighteen hundred and sixty-nine and The Children's Medical Center, Inc., incorporated under chapter one hundred and eighty of the General Laws, are hereby authorized, by acceptance of this act within one year after its effective date, at meetings of the members duly called for the purpose, to consolidate into one corporation under the name of The Children's Hospital Medical Center, which shall in all respects be a continuation of, shall have all the powers, privileges and exemptions of, and shall be subject to all the duties, liabilities and restrictions provided by law in so far as they relate to, said existing corporations. Upon such acceptance, copies of the votes of acceptance certified by the clerk or other officer of the respective corporations so voting shall be filed in the registry of deeds of Suffolk county and with the state secretary, and the consolidation of such corporations shall thereupon be complete.

SECTION 2. Infants Hospital, The Hospital and Convalescent Home for Children, Association of the House of the Good Samaritan, The Sharon Sanatorium, The Children's Mission to Children, Charitable Surgical Appliance Shop and Sarah Fuller Foundation for Little Deaf Children, all charitable corporations organized and existing under the laws of Massachusetts, are hereby severally authorized, by acceptance of this act within two years after its effective date at a meeting of the members duly called for the purpose, to consolidate with The Children's Hospital Medical Center, which shall in all respects be a continuation under that name, and shall have all the powers, privileges and exemptions, of each of the corporations so consolidating with it, and shall be subject to all of the duties, liabilities and restrictions provided by law in so far as they relate to the said consolidating corporations. Upon such acceptance, copies of the vote of acceptance certified by the clerk or other officer of the corporation so voting shall be filed in the registry of deeds of Suffolk county and with the state secretary, and the consolidation of such corporation with The Children's Hospital Medical Center shall thereupon be complete.

SECTION 3. Upon each such consolidation, all property, real and personal, of the corporations so consolidating and all devises, bequests, conveyances and gifts heretofore and hereafter made to any of such corporations shall vest in the consolidated corporation and otherwise shall be held by the consolidated corporation subject to the same terms, conditions, limitations and trusts as they are now held by such consolidating corporations or would have been held but for this act, and the treasurers of such corporations are hereby respectively authorized to execute, acknowledge and deliver all papers and documents that

may be deemed necessary or proper for the purpose of confirming in The Children's Hospital Medical Center the record title to the property of the corporations so consolidating.

SECTION 4. Upon consolidation of The Children's Hospital and The Children's Medical Center, Inc., the members of both those corporations shall be the members of the consolidated corporation until such time as the consolidated corporation may, by amendment of its by-laws, alter its membership, and the members of the governing board and officers of The Children's Hospital shall be, until their successors are chosen and qualified, the members of the governing board and officers of the consolidated corporation, which shall, except as herein provided with respect to the initial membership, both thereupon and after the consolidation of other existing corporations pursuant to section two hereof, be governed by the by-laws of The Children's Hospital as the same now are or may hereafter be amended.

SECTION 5. The consolidated corporation shall have all of the powers granted to The Children's Hospital by chapter two hundred and sixty-one of the acts of nineteen hundred and fifty-four to form with the Infants Hospital and with such other charitable corporations organized under the laws of the commonwealth as may be mutually agreed upon, an alliance for, and otherwise to co-operate in, establishing, maintaining and operating a medical center and to render mutual services and operate one or more plants in common in connection with such medical center.

SECTION 6. The consolidated corporation may hold real and personal property to an amount not exceeding the aggregate amount of property which the consolidating corporations may lawfully acquire and hold.

SECTION 7. Whatever right or authority is granted or conferred by this act is hereby declared to be limited to such authority or right as the general court may constitutionally grant or confer, without prejudice to any proceeding that may be instituted in any court of competent jurisdiction to effect the purposes of this act.

Approved May 6, 1959.

Chap. 284. AN ACT RELATIVE TO SOLICITING, BY SIGN, LISTING OR OTHER FORM OF ADVERTISEMENT, WORK REQUIRED BY LAW TO BE PERFORMED BY A MASTER PLUMBER OR A JOURNEYMAN.

Be it enacted, etc., as follows:

Chapter 142 of the General Laws is hereby amended by striking out section 3, as most recently amended by chapter 263 of the acts of 1958, and inserting in place thereof the following section:—*Section 3.* No person shall engage in the business of a master plumber or work as a journeyman, nor solicit, by sign, listing or any other form of advertisement, work regulated or controlled by this chapter or by any ordinance, by-law, rule or regulation made hereunder, unless he is lawfully registered, or has been licensed by the examiners as provided in this chapter. Any person so licensed as a master plumber may carry on the work of a gas fitter throughout the com-

monwealth, notwithstanding any local ordinance, by-law, rule or regulation to the contrary.

The license or certificate of a journeyman shall be exhibited whenever required by an inspector of plumbing.

The license or certificate of a master plumber shall at all times be displayed conspicuously within his place of business. Any sign, listing or advertisement of a master plumber or a journeyman shall contain his designation and license number.

Approved May 6, 1959.

Chap. 285. AN ACT TO GRANT TIME OFF WITHOUT LOSS OF PAY TO DELEGATES TO THE STATE CONVENTION OF THE ASSOCIATED FIRE FIGHTERS OF MASSACHUSETTS AFL:CIO.

Be it enacted, etc., as follows:

SECTION 1. Chapter 48 of the General Laws is hereby amended by inserting after section 57A, inserted by chapter 640 of the acts of 1953, the following section:—*Section 57B.* Members of the fire department in any city or town adopting this section may be excused from duty for not more than four days in any year without loss of pay while in attendance as an official delegate to the Associated Fire Fighters of Massachusetts AFL:CIO convention held within the commonwealth.

SECTION 2. This act shall take effect upon its acceptance in cities by vote of the city council, and in towns by vote at an annual or special town meeting called for the purpose.

Approved May 6, 1959.

Chap. 286. AN ACT MAKING A CORRECTIVE CHANGE IN THE GENERAL LAWS BY STRIKING OUT THE REFERENCE TO THE SALARY OF THE SPECIAL JUDGE OF PROBATE AND INSOLVENCY FOR MIDDLESEX COUNTY.

Be it enacted, etc., as follows:

Chapter 217 of the General Laws is hereby amended by striking out section 41, as most recently amended by chapter 503 of the acts of 1941, and inserting in place thereof the following section:—*Section 41.* Except as hereinafter provided, whenever a special judge holds a session of the probate court or court of insolvency, he shall receive from the commonwealth twenty-five dollars for each day that he performs such duties. The special judge of probate and insolvency for Dukes county shall be paid his actual traveling expenses necessarily incurred in the performance of his duties, irrespective of the place of holding and attending court, and also ten dollars for each day's service. Compensation for sitting in the place of the judge of probate for said county in excess of thirty days in any one year shall be deducted by the comptroller from the salary of the judge.

Approved May 6, 1959

Chap. 287. AN ACT AUTHORIZING THE TOWN OF WILMINGTON TO REGULATE OR PROHIBIT BY BY-LAW THE FURTHER REMOVAL OF SOIL, LOAM, SAND OR GRAVEL FROM CERTAIN LAND.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any special or general law to the contrary, the town of Wilmington may regulate or prohibit by zoning or general by-law, or by any amendment thereof the further removal of soil, loam, sand or gravel from land not in public use even though such land was being used for such purposes at the time of the adoption of said ordinance or by-law.

SECTION 2. This act shall take effect upon its passage.

Approved May 7, 1959.

Chap. 288. AN ACT MAKING APPROPRIATIONS FOR THE MAINTENANCE OF FRANKLIN COUNTY, ITS DEPARTMENTS, BOARDS, COMMISSIONS AND INSTITUTIONS, OF SUNDRY OTHER SERVICES, FOR CERTAIN PERMANENT IMPROVEMENTS, FOR INTEREST AND DEBT REQUIREMENTS, AND TO MEET CERTAIN REQUIREMENTS OF LAW AND GRANTING A COUNTY TAX FOR SAID COUNTY.

Whereas, The deferred operation of this act would result in unnecessarily extending the period during which county expenditures would be made in anticipation of appropriation, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. To provide for the maintenance of Franklin county, its departments, boards, commissions and institutions, of sundry other services, for certain permanent improvements, for interest and debt requirements, and to meet certain requirements of law, the following sums for the several purposes and subject to the conditions specified in section two are hereby appropriated, subject to the provisions of law regulating the disbursement of county funds and the approval thereof for the year nineteen hundred and fifty-nine:—

FRANKLIN COUNTY.

Item

1. For interest on county debt	\$1,500 00
3. For county commissioners, salaries and expenses ..	10,795 00
4. For transportation and expenses of county and acting commissioners	600 00
5. For clerk of courts, salaries and expenses	22,866 00
6. For county treasurer, salaries and expenses	12,209 75
7. For sheriff, salary and expenses	5,960 00
8. For registry of deeds, salaries and expenses	36,728 17
8a. For registry of probate, salaries and expenses	3,640 00
9. For law library, salaries and expenses	8,161 00
10. For highways, including state highways, bridges and land damages	146,825 00
11. For examination of dams	400 00

Item	
12. For criminal costs in superior court	\$15,880 30
13. For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees	22,195 00
14. For district courts, salaries and expenses	53,585 83
15. For medical examiners and commitments of insane	4,011 00
16. For jail and house of correction, maintenance and operation	76,795 39
17. For training school	200 00
18. For court houses and registry buildings, mainte- nance and operation	27,649 00
20. For agricultural school or county aid to agriculture, maintenance and operation	39,521 51
21. For state reservation, maintenance and operation, Sugar Loaf	5,192 50
22. For hospital or sanatorium	27,536 21
23. For preventorium or health service	2,200 00
24. For non-contributory pensions	1,700 00
25. For contributory retirement system and supervisory expenses	10,885 05
26. For miscellaneous and contingent expenses	2,730 16
27. For unpaid bills of previous years	700 00
28. For reserve fund	5,000 00
29. For advertising recreational, industrial and agricul- tural advantages of the county	7,600 00
31. For radio system for fire protection	1,230 00
39. For group insurance	4,300 00
40. For advertising and promoting county fairs	250 00
<hr/>	
Total Amount of Appropriations	\$558,846 87
Less Estimated amount available for Reduction of County Tax	75,842 88
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And the county commissioners of Franklin County are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of \$483,003 99

SECTION 2. Sums appropriated in section one are based upon detailed schedules approved by the joint committee on counties, copies of which are deposited with the director of accounts.

Said director shall file with the county commissioners and the county treasurer of Franklin county a certification of the amounts above appropriated as set forth in the approved schedules for said county. Except as provided by this act or except as otherwise provided by law, no liability may be incurred and no expenditure shall be made in excess of the amount available in an existing appropriation for a function, a main group, a class or a sub-class.

Transfers within an appropriation from a main group to another main group may be made upon written request of the authorized official of the organization unit with the written approval of said county

commissioners, and copies of said request and approval shall be filed with the county treasurer; provided, however, that no transfer shall be made from the main groups "personal services" or "equipment" to another main group nor shall any transfer be made from any other main group into the main groups "personal services" or "equipment".

Transfers within an appropriation between classes and between subclasses within a main group may be made by the authorized official of the organization unit whenever in his opinion public necessity and convenience so requires; provided, however, that no transfer shall be made within the classes of the main groups "personal services" or "equipment".

Amounts included for permanent positions in sums appropriated in section one for personal services are based upon schedules of permanent positions and salary rates as approved by the joint committee on counties, and, except as otherwise shown by the files of said committee, a copy of which shall be deposited with the county personnel board, no part of sums so appropriated in section one shall be available for payment of salaries of any additional permanent positions, or for payments on account of reallocations of permanent positions, or for payments on account of any change of salary range or compensation of any permanent positions, notwithstanding any special or general act to the contrary.

Moneys appropriated under this act for the purchase of equipment shall be expended for the purposes specified in the schedules as approved by the joint committee on counties and for no other purpose.

No direct drafts against the account known as the reserve fund shall be made, but transfers from this account to other accounts may be made to meet extraordinary or unforeseen expenditures upon the request of the county commissioners with the approval of the director of accounts.

SECTION 3. No expense incurred for mid-day meals by county officers and employees, other than those who receive as part of their compensation a non-cash allowance in the form of full or complete boarding and housing, and those county officers and employees who are stationed beyond commuting distance from their homes for a period of more than twenty-four hours, shall be allowed by any county; provided, that officers or employees who have charge of juries or who have the care and custody of prisoners, insane persons or other persons placed in their charge by a court or under legal proceedings for transfer to or from court to an institution or from institution to institution and persons certified by a district attorney as engaged in investigation shall be reimbursed for the expense of mid-day meals when necessarily engaged on such duty; and provided, further, that county officers and employees in attendance at meetings and conferences called by or for any group or class on a statewide basis shall be so reimbursed.

No moneys appropriated under this act shall be expended by county officers or employees for telephone service furnished to such officers or employees at places other than regular county offices.

SECTION 4. The allowance to county officers and employees for expenses incurred by them in the operation of motor vehicles owned by them or by any member of their immediate families and used in the performance of their official duties shall not exceed eight cents a mile.

except in cases where a higher allowance is specifically provided by statute; provided, that in the case of commitments of the insane the justice of the court ordering the commitment may order a higher rate. No expenditures shall be made for travel outside the commonwealth for attendance at conferences or conventions.

SECTION 5. Any provision of general or special law to the contrary notwithstanding, any county officer or employee whose salary rate on July first, nineteen hundred and fifty-seven, was limited to an increase in rate of one thousand dollars shall receive an increase in salary rate of not more than one step in his salary grade, effective on his anniversary date or on July first, nineteen hundred and fifty-nine, in accordance with approved list filed with the county personnel board by the joint committee on counties. *Approved May 11, 1959.*

Chap. 289. AN ACT MAKING APPROPRIATIONS FOR THE MAINTENANCE OF HAMPSHIRE COUNTY, ITS DEPARTMENTS, BOARDS, COMMISSIONS AND INSTITUTIONS, OF SUNDRY OTHER SERVICES, FOR CERTAIN PERMANENT IMPROVEMENTS, FOR INTEREST AND DEBT REQUIREMENTS, AND TO MEET CERTAIN REQUIREMENTS OF LAW AND GRANTING A COUNTY TAX FOR SAID COUNTY.

Whereas, The deferred operation of this act would result in unnecessarily extending the period during which county expenditures would be made in anticipation of appropriation, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. To provide for the maintenance of Hampshire county, its departments, boards, commissions and institutions, of sundry other services, for certain permanent improvements, for interest and debt requirements, and to meet certain requirements of law, the following sums for the several purposes and subject to the conditions specified in section two are hereby appropriated, subject to the provisions of law regulating the disbursement of county funds and the approval thereof for the year nineteen hundred and fifty-nine:—

HAMPSHIRE COUNTY.

Item		
1.	For interest on county debt	\$4,500 00
3.	For county commissioners, salaries and expenses ..	16,735 60
4.	For transportation and expenses of county and acting commissioners	700 00
5.	For clerk of courts, salaries and expenses	23,235 50
6.	For county treasurer, salaries and expenses	17,759 50
7.	For sheriff, salary and expenses	6,345 00
8.	For registry of deeds, salaries and expenses	43,129 91
8a.	For registry of probate, salaries and expenses	4,675 00
9.	For law library, salaries and expenses	6,870 00
10.	For highways, including state highways, bridges and land damages	142,800 00
11.	For examination of dams	2,000 00

Item		
12.	For criminal costs in superior court	\$26,694 75
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, mas- ters and referees	36,873 70
14.	For district courts, salaries and expenses	89,069 05
15.	For medical examiners and commitments of insane	8,140 00
16.	For jail and house of correction, maintenance and operation	101,264 56
17.	For training school	600 00
18.	For court houses and registry buildings, mainte- nance and operation	33,844 58
20.	For agricultural school or county aid to agriculture, maintenance and operation	46,299 91
21.	For state reservation, maintenance and operation, Mt. Tom	5,964 89
21a.	For state reservation, maintenance and operation, Deer Hill	350 00
22.	For hospital or sanatorium	154,614 80
23.	For preventorium or health service	500 00
24.	For non-contributory pensions	1,407 85
25.	For contributory retirement system and supervi- sory expenses	16,857 84
26.	For miscellaneous and contingent expenses	2,214 67
27.	For unpaid bills of previous years	100 00
28.	For reserve fund	6,500 00
29.	For advertising recreational, industrial and agri- cultural advantages of the county	6,600 00
31.	For radio system for fire protection	6,000 00
34.	For soil conservation	250 00
39.	For group insurance	10,000 00
Total Amount of Appropriations		\$822,897 11
Less Estimated amount available for Reduction of County Tax		138,165 60

And the county commissioners of Hampshire County are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of \$684,731 51

SECTION 2. Sums appropriated in section one are based upon detailed schedules approved by the joint committee on counties, copies of which are deposited with the director of accounts.

Said director shall file with the county commissioners and the county treasurer of Hampshire county a certification of the amounts above appropriated as set forth in the approved schedules for said county. Except as provided by this act or except as otherwise provided by law, no liability may be incurred and no expenditure shall be made in excess of the amount available in an existing appropriation for a function, a main group, a class or a sub-class.

Transfers within an appropriation from a main group to another main group may be made upon written request of the authorized of-

ficial of the organization unit with the written approval of said county commissioners, and copies of said request and approval shall be filed with the county treasurer; provided, however, that no transfer shall be made from the main groups "personal services" or "equipment" to another main group nor shall any transfer be made from any other main group into the main groups "personal services" or "equipment".

Transfers within an appropriation between classes and between subclasses within a main group may be made by the authorized official of the organization unit whenever in his opinion public necessity and convenience so requires; provided, however, that no transfer shall be made within the classes of the main groups "personal services" or "equipment".

Amounts included for permanent positions in sums appropriated in section one for personal services are based upon schedules of permanent positions and salary rates as approved by the joint committee on counties, and, except as otherwise shown by the files of said committee, a copy of which shall be deposited with the county personnel board, no part of sums so appropriated in section one shall be available for payment of salaries of any additional permanent positions, or for payments on account of reallocations of permanent positions, or for payments on account of any change of salary range or compensation of any permanent positions, notwithstanding any special or general act to the contrary.

Moneys appropriated under this act for the purchase of equipment shall be expended for the purposes specified in the schedules as approved by the joint committee on counties and for no other purpose.

No direct drafts against the account known as the reserve fund shall be made, but transfers from this account to other accounts may be made to meet extraordinary or unforeseen expenditures upon the request of the county commissioners with the approval of the director of accounts.

SECTION 3. No expense incurred for mid-day meals by county officers and employees, other than those who receive as part of their compensation a non-cash allowance in the form of full or complete boarding and housing, and those county officers and employees who are stationed beyond commuting distance from their homes for a period of more than twenty-four hours, shall be allowed by any county; provided, that officers or employees who have charge of juries or who have the care and custody of prisoners, insane persons or other persons placed in their charge by a court or under legal proceedings for transfer to or from court to an institution or from institution to institution and persons certified by a district attorney as engaged in investigation shall be reimbursed for the expense of mid-day meals when necessarily engaged on such duty; and provided, further, that county officers and employees in attendance at meetings and conferences called by or for any group or class on a statewide basis shall be so reimbursed.

No moneys appropriated under this act shall be expended by county officers or employees for telephone service furnished to such officers or employees at places other than regular county offices.

SECTION 4. The allowance to county officers and employees for expenses incurred by them in the operation of motor vehicles owned by

them or by any member of their immediate families and used in the performance of their official duties shall not exceed eight cents a mile, except in cases where a higher allowance is specifically provided by statute; provided, that in the case of commitments of the insane the justice of the court ordering the commitment may order a higher rate. No expenditures shall be made for travel outside the commonwealth for attendance at conferences or conventions.

SECTION 5. Any provision of general or special law to the contrary notwithstanding, any county officer or employee whose salary rate on July first, nineteen hundred and fifty-seven, was limited to an increase in rate of one thousand dollars shall receive an increase in salary rate of not more than one step in his salary grade, effective on his anniversary date or on July first, nineteen hundred and fifty-nine, in accordance with approved list filed with the county personnel board by the joint committee on counties.

Approved May 11, 1959.

Chap. 290. AN ACT INCREASING THE COMPENSATION OF THE MEMBERS OF THE BOARD OF EXCISE OF THE CITY OF CHELSEA.

Be it enacted, etc., as follows:

SECTION 1. Chapter 310 of the Special Acts of 1916 is hereby amended by striking out section 3 and inserting in place thereof the following section:—*Section 3.* The annual salary of the chairman of the excise board shall be twelve hundred dollars, that of each of the other members one thousand dollars, and the clerk shall receive such compensation as the board shall fix. The said salaries and compensation shall be paid monthly from the treasury of the city. Neither the clerk nor any member of the board shall be engaged or interested in any business for which the board is authorized to grant licenses. The board shall be provided by the city with such rooms as will be convenient and suitable for the performance of its duties. All necessary expenses incurred by the board shall be paid by the city upon the requisition of the board.

SECTION 2. This act shall take effect upon its passage.

Approved May 11, 1959.

Chap. 291. AN ACT VALIDATING AND CONFIRMING THE LAYING OUT, ALTERATION, RELOCATION OR DISCONTINUANCE OF PUBLIC WAYS IN THE TOWN OF BRAINTREE.

Be it enacted, etc., as follows:

SECTION 1. The laying out, alteration, relocation or discontinuance of all public ways in the town of Braintree previous to the year nineteen hundred and fifty-nine by the selectmen of said town in so far as such laying out, alteration, relocation or discontinuance may be invalid by reason of failure to comply with the provisions of chapters forty-one, seventy-nine, eighty and eighty-two of the General Laws, is hereby validated and confirmed.

SECTION 2. This act shall take effect upon its passage.

Approved May 11, 1959.

Chap. 292. AN ACT AUTHORIZING THE TOWN OF BRIDGEWATER TO BORROW MONEY FOR AN ADDITION TO ITS SEWAGE DISPOSAL PLANT.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of constructing an addition to its present sewage disposal plant thereby increasing its capacity to treat sewage the town of Bridgewater is hereby authorized, within five years after the passage of this act, to borrow such sums as may be necessary, not exceeding in the aggregate one hundred and fifty thousand dollars and may issue bonds or notes therefor, which shall bear on their face the words, Bridgewater Sewerage Loan, Act of 1959. Each authorized issue shall constitute a separate loan and such loans shall be payable in not more than thirty years from their dates. Indebtedness incurred under this act shall be in excess of statutory limit but shall, except as provided herein be subject to chapter forty-four of the General Laws inclusive of the limitation contained in the first paragraph of section seven thereof.

SECTION 2. Until the plans for and the location of said addition to sewage disposal plant have been approved by the state department of public health, only so much of the money borrowed under section one of this act as is necessary for the making of said plans, including surveys and other preliminary investigation, shall be expended.

Approved May 11, 1959.

Chap. 293. AN ACT RELATIVE TO THE ADJUDICATION OF THE RECOVERY AND COMPETENCE OF PERSONS WHO WERE MENTALLY ILL.

Be it enacted, etc., as follows:

Chapter 123 of the General Laws is hereby amended by striking out section 94A, as amended by chapter 535 of the acts of 1952, and inserting in place thereof the following section:—*Section 94A.* Any person adjudicated by any court to be a mentally ill person, whether or not in custody, may petition for adjudication of his or her recovery and competence. The petition for such adjudication may be made by such person or by any parent, guardian, conservator, relative or friend of such person, and shall be filed in the probate court for the county in which the person resides, is confined, or in which the adjudication of mental illness was made. At any time prior to the hearing, the department of mental health shall be notified of such petition and may participate in the proceedings of the hearing. The department of mental health shall appoint two physicians certified by the American Board of Psychiatry and Neurology, Incorporated, to examine the subject and advise the court of his present mental condition. All reasonable expenses incurred in such examination and report shall be audited and paid as in the case of other court expenses, as provided for in section seventy-four. Notice of such petition shall be given to the husband or wife, if any, and to the guardian or conservator, if any, of such person, and the court may order notice to be given to all other persons who may be interested. If the court, after hearing, finds that such person is sane a decree to that effect shall be entered, and if in

custody or on leave of absence or on visit, so called, such person shall forthwith be discharged. If the court finds that such person is still mentally ill it shall enter a decree to that effect and shall dismiss the petition, and no further petition for an adjudication of recovery and competence shall be filed by or in behalf of such person within one year of such dismissal.

Approved May 11, 1959.

Chap. 294. AN ACT TO PROTECT LAND TITLES AGAINST THE EFFECTS OF INDEFINITE REFERENCES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 184 of the General Laws is hereby amended by adding after section 24 the following section:—*Section 25.* No indefinite reference in a recorded instrument shall subject any person not an immediate party thereto to any interest in real estate, legal or equitable, nor put any such person on inquiry with respect to such interest, nor be a cloud on or otherwise adversely affect the title of any such person acquiring the real estate under such recorded instrument if he is not otherwise subject to it or on notice of it. An indefinite reference means (1) a recital indicating directly or by implication that real estate may be subject to restrictions, easements, mortgages, encumbrances or other interests not created by instruments recorded in due course, (2) a recital or indication affecting a description of real estate which by excluding generally real estate previously conveyed or by being in general terms of a person's right, title or interest, or for any other reason, can be construed to refer in a manner limiting the real estate described to any interest not created by instruments recorded in due course, (3) a description of a person as trustee or an indication that a person is acting as trustee, unless the instrument containing the description or indication either sets forth the terms of the trust or specifies a recorded instrument which sets forth its terms and the place in the public records where such instrument is recorded, and (4) any other reference to any interest in real estate, unless the instrument containing the reference either creates the interest referred to or specifies a recorded instrument by which the interest is created and the place in the public records where such instrument is recorded. No instrument shall be deemed recorded in due course unless so recorded in the registry of deeds for the county or district in which the real estate affected lies as to be indexed in the grantor index under the name of the owner of record of the real estate affected at the time of the recording. This section shall not apply to a reference to an instrument in a notice or statement permitted by law to be recorded instead of such instrument, nor to a reference to the secured obligation in a mortgage or other instrument appearing of record to be given as security, nor in any proceeding for enforcement of any warranty of title.

SECTION 2. Section twenty-five of chapter one hundred and eighty-four of the General Laws, inserted by section one of this act, shall apply to indefinite references made before the effective date of this act as well as to those made thereafter except that it shall not apply to any interest which appears of record in accordance with this sec-

tion before the expiration of one year after said effective date. An interest appears of record if (a) there is recorded in the registry of deeds for the county or district in which the real estate affected lies an instrument creating the interest or a notice of claim signed and acknowledged by the holder of the interest fully describing it and specifying his residence and the name of the owner of record of the real estate affected at the time of the recording, and (b), in case of an instrument not so recorded as to be indexed in the grantor index under the name of the owner of record of the real estate affected at the time of its recording, whether before or after said effective date, there is also recorded a notice of recording identifying the instrument and specifying the place of its recording in the registry of deeds and the name of the owner of record of the real estate affected at the time of the recording of the notice. All notices of claim and notices of recording shall be indexed in the grantor index under the name of the record owner specified therein.

Approved May 11, 1959.

Chap. 295. AN ACT FURTHER REGULATING THE HOLDING OF PUBLIC HEARINGS ON APPLICATIONS FOR PARI-MUTUEL RACING IN CONJUNCTION WITH STATE AND COUNTY FAIRS AND THE FURTHER REGULATION THEREOF.

Be it enacted, etc., as follows:

SECTION 1. Section 2 of chapter 128A of the General Laws is hereby amended by striking out the second paragraph, as amended by chapter 716 of the acts of 1950, and inserting in place thereof the following paragraph:—

Such application, except an application for a license to conduct a horse or dog racing meeting in connection with a state or county fair, shall be filed with the commission on or before the fifth day of January of the calendar year for which such application requests a license to be issued under this chapter; and the commission shall grant or dismiss such application not later than the thirtieth day of January thereafter; provided, however, that an application for a license to conduct a horse or dog racing meeting in connection with a state or county fair shall be filed with the commission on or before the first day of April of the calendar year for which such application requests a license to be issued under this chapter; and the commission shall grant or dismiss such application not later than the thirtieth day of April thereafter; and provided, further, that a supplementary application by a licensee for a subsequent license in that calendar year relating to the same premises and the original application, and supplementary applications by a licensee for additional licenses under section four of this chapter, may be filed with the commission at any time prior to the expiration of said year, and the commission shall grant or dismiss such applications within thirty days of the date of filing. Such applications shall be signed and sworn to, if made by an individual, by such individual, if made by two or more individuals or a partnership, by one of such individuals or by a member of such partnership, as the case may be, if made by a trust, by a trustee of such trust, and, if made

by an association or corporation, by the president or vice president thereof. The commission may prescribe forms to be used in making such applications.

SECTION 2. Section 3 of said chapter 128A is hereby amended by striking out the first paragraph, as most recently amended by section 2 of chapter 208 of the acts of 1958, and inserting in place thereof the following paragraph:— If any application for a license, filed as provided by section two, shall be in accordance with the provisions of this chapter, the commission, after reasonable notice and a public hearing in the city or town wherein the license is to be exercised, may issue a license to the applicant to conduct a racing meeting, in accordance with the provisions of this chapter, at the race track specified in such application; provided, that if the commission has already taken action on an application for any calendar year, after such notice and public hearing, no other public hearing need be granted on any other application from the same applicant relating to the same premises filed prior to the expiration of said year; and provided, further, that on an application for a license to conduct a horse or dog racing meeting in connection with a state or county fair by an applicant which has not operated a horse or dog racing meeting under the provisions of this chapter prior to July first, nineteen hundred and fifty-eight, the applicant shall show (1) that the state or county fair at which such racing meeting is to be held has operated for a period of at least five consecutive years; (2) that said fair has received financial assistance from the agricultural purpose fund for the same period of time; and (3) a certificate from the commissioner of agriculture that said fair is properly qualified and approved by him; and provided further, that on an application for a license to conduct a horse or dog racing meeting in connection with a state or county fair by an applicant to whom a prior license to conduct such a racing meeting at the race track specified in said application has been granted by the commission, no hearing need be held, unless a request, signed by at least one per cent of the registered voters of the city or town in which the track is located, is filed with the commission not later than thirty days following the granting of said license. In determining whether a fair is properly qualified under this paragraph, the commissioner of agriculture shall consider the number of days such fair has operated each previous year, the area of the land used for fair purposes, the number of entries in agricultural show events in previous years, the number and value of prizes offered in such events and whether or not the granting of a racing license would tend to promote the agricultural purposes of the fair.

Approved May 11, 1959.

Chap. 296. AN ACT FURTHER REGULATING THE ISSUANCE OF LICENSES FOR THE SALE, RENTAL AND LEASING OF CERTAIN FIREARMS.

Be it enacted, etc., as follows:

SECTION 1. Section 121 of chapter 140 of the General Laws, as most recently amended by section 4 of chapter 688 of the acts of 1957, is hereby further amended by inserting after the third sentence the following sentence:—The word “conviction” shall mean a finding or

verdict of guilty, or a plea of guilty, whether or not final sentence is imposed.

SECTION 2. Said chapter 140 is hereby further amended by striking out section 122, as most recently amended by section 5 of said chapter 688, and inserting in place thereof the following section:—
Section 122. The chief of police or the board or officer having control of the police in a city or town, or persons authorized by them, may, after an investigation, grant a license to any person except an alien, a minor or a person who has been convicted of a felony or of the unlawful use, possession or sale of narcotic or harmful drugs, to sell, rent or lease firearms, rifles, shotguns or machine guns, or to be in business as a gunsmith. Every license shall specify the street and number, if any, of the building where the business is to be carried on, and the license shall not protect a licensee who carries on his business in any other place. The licensing authority to whom such application is made shall cause one copy of said applicant's fingerprints to be forwarded to the commissioner of public safety, who shall within a reasonable time thereafter advise such authority in writing of any criminal record of the applicant. The taking of fingerprints shall not be required in issuing a renewal of a license, if the fingerprints of said applicant are on file with the commissioner. Any person refused a license under this section may within ten days thereafter apply to the commissioner for such license, who may direct that said licensing authorities grant said license, if, after a hearing, he is satisfied there were no reasonable grounds for the refusal to grant such license and that the applicant was not barred by the provisions of law from holding such a license. The fee for any license issued under this section shall be set by, and payable in, a manner prescribed by the authorities empowered to issue said license, but said fee shall not exceed twenty dollars per year. A person licensed to sell, rent or lease firearms, rifles, shotguns or machine guns shall not be assessed any additional fee for a gunsmith's license. Whoever knowingly issues a license in violation of this section shall be punished by imprisonment for not less than six months nor more than two years in a jail or house of correction.

SECTION 3. Said chapter 140 is hereby further amended by striking out section 122A, as most recently amended by section 6 of said chapter 688, and inserting in place thereof the following section:—
Section 122A. The licensing authority under section one hundred and twenty-two shall record all licenses issued in books or forms kept for that purpose, and upon the granting of any such license or renewal thereof or renewal of an expired license shall send notice thereof to the commissioner of public safety on forms approved and furnished by the commissioner. The commissioner, upon the application of the licensee, at a price not in excess of the cost thereof, shall furnish said licensee with the necessary sales record books to be kept by him as provided in section one hundred and twenty-three.

SECTION 4. Said chapter 140 is hereby further amended by striking out section 123, as most recently amended by section 7 of said chapter 688, and inserting in place thereof the following section:—
Section 123. The license shall be expressed to be and shall be subject to the following conditions:—First, That the provisions in regard

to the nature of the license and the building in which the business may be carried on under it shall be strictly adhered to. Second, That every licensee shall before delivery of a firearm make or cause to be made a true, legible entry in a sales record book to be furnished by the commissioner of public safety and to be kept for that purpose, specifying the complete description of the firearm, including the make, number, type of firearm, type of ignition, if any, whether sold, rented or leased, the date of such sale, the sex, residence and occupation of the purchaser, renter or lessee, and shall before delivery, as aforesaid, require the purchaser, renter or lessee personally to write in said sales record book his full name. The said book shall be open at all times to the inspection of the police. Third, That the license or a copy thereof, certified by the official issuing the same, shall be displayed on the premises in a position where it can easily be read. Fourth, That no firearms or machine guns shall be displayed in any outer window of said premises or in any other place where they can readily be seen from the outside. Fifth, That the licensee shall, once a week, send a copy of the record of sales, rentals and leases made by him for the preceding seven days to the commissioner of public safety. Sixth, That every firearm shall be unloaded when delivered. Seventh, That no delivery of a firearm shall be made to any person not having a license to carry said firearm, issued under the provisions of section one hundred and thirty-one of this chapter, except that a dealer may deliver, or cause to be delivered by any person so licensed to carry, a firearm to the residence or place of business of the purchaser who does not have said license to carry. Eighth, That no firearm shall be sold, rented or leased to a person who has not a permit then in force to purchase, rent or lease the same issued under section one hundred and thirty-one A, except as provided for in section one hundred and thirty-one E, and that no machine gun shall be sold, rented or leased to a person who has not a license to possess the same issued under section one hundred and thirty-one. Ninth, That upon the sale, rental or lease of a firearm, the licensee under section one hundred and twenty-two shall take up such permit to purchase, and shall endorse upon it the date and place of said sale, rental or lease, and shall forthwith transmit the same to the commissioner of public safety; and that upon the sale, rental or lease of a machine gun shall endorse upon the license to possess the same the date and place of said sale, rental or lease, and shall forthwith transmit a notice thereof to said commissioner. In case of a sale under the provisions of section one hundred and thirty-one E the dealer shall write in the sales record book the number of the license to carry issued the purchaser under the provisions of section one hundred and thirty-one. Tenth, That this license shall be subject to forfeiture as provided in section one hundred and twenty-five for breach of any of its conditions, and that, if the licensee hereunder is convicted of a violation of any such conditions, this license shall thereupon become void. Eleventh, That the second, fifth, eighth and ninth conditions shall not apply to a gunsmith, unless said gunsmith has manufactured a firearm for the purchaser, but said gunsmith shall keep records of the work done by him together with the names and addresses of his customers. Such records shall be kept

open for inspection by the police at all times. Twelfth, That any licensee shall keep records of each sale, rental or lease of a rifle or shotgun, specifying the description of said rifle or shotgun, together with the name and address of the purchaser, renter or lessee, and the date of such transaction. No licensee shall sell any rifle or shotgun, contrary to the provisions of section one hundred and thirty.

SECTION 5. Said chapter 140 is hereby further amended by striking out section 130, as most recently amended by section 13 of said chapter 688, and inserting in place thereof the following section:—

Section 130. Whoever sells or furnishes a firearm or machine gun or ammunition therefor to an alien or to a minor, except to a minor who displays a license issued to him under section one hundred and thirty-one to carry firearms or to possess a machine gun and who has in his possession the written consent of his parent or guardian that a firearm or machine gun or ammunition therefor be sold or furnished to him, or whoever sells or furnishes a rifle or shotgun or ammunition therefor to an alien who does not hold a permit issued to him under section fifty-one of chapter one hundred and thirty-one, or to a minor eighteen years of age or over, except to such minor who displays a sporting or hunting license issued to him and who has in his possession the written consent of his parent or guardian that a rifle or shotgun or ammunition therefor be sold or furnished to him, or to a minor under eighteen years of age, shall be punished by a fine of not less than one hundred nor more than five hundred dollars. Nothing in this section shall be construed as prohibiting a parent or guardian from furnishing his child or ward with a rifle or shotgun or ammunition therefor, nor shall it be construed as prohibiting an instructor from furnishing rifles or shotguns or ammunition therefor to pupils provided that said instructor has the consent of the parent or guardian of the minor.

SECTION 6. Said chapter 140 is hereby further amended by striking out section 131, as most recently amended by section 15 of said chapter 688, and inserting in place thereof the following section:—

Section 131. The chief of police or the board or officer having control of the police in a city or town, or the commissioner of public safety, or persons authorized by them, respectively, after an investigation, may, upon the application of any person, including a minor eighteen or over who has the written consent of his parent or guardian, residing or having a place of business within their respective jurisdiction, except an alien, a person who has been convicted of a felony or of the unlawful use, possession or sale of narcotic or harmful drugs or a minor under the age of eighteen, issue a license to such applicant to carry firearms in the commonwealth or to possess therein a machine gun, if it appears that he is a suitable person to be so licensed, and that he has good reason to fear injury to his person or property, or for any other proper purpose, including the carrying of firearms for use in target practice only. Licenses shall be renewed according to the following schedule:—a licensee whose date of birth occurs in an even-numbered year shall be issued a license expiring on his date of birth in the next even-numbered year; a licensee whose date of birth occurs in an odd-numbered year shall be issued a license expiring on his date of birth in the next odd-numbered year; any renewal thereof

or subsequent original issue shall expire on the anniversary of the applicant's date of birth occurring more than twelve months but not more than twenty-four months after the effective date of such license; any license issued to an applicant born on February twenty-ninth, for the purposes of this section, shall expire on March first. All such licenses shall be revocable for cause at the will of the authority issuing the same, who shall forthwith send written notice of such revocation to the commissioner of public safety. Licenses shall be issued on forms furnished by said commissioner and shall contain blank spaces for such information as the commissioner deems necessary for proper identification of the licensee. The authority to whom such application is made shall cause one copy of said applicant's fingerprints to be forwarded to said commissioner, who shall within a reasonable time advise in writing of the criminal record, if any, of the applicant. The taking of fingerprints shall not be required in issuing the renewal of a license, if the fingerprints of the applicant are on file with the commissioner. The fee for such license shall be two dollars, and shall be payable in a manner prescribed by the authority empowered to issue such license and shall not be prorated or refunded in case of revocation. Whoever, knowingly, issues a license in violation of this section shall be punished by imprisonment for not less than six months nor more than two years in a jail or house of correction. Notwithstanding the provisions of this section, no license shall be required for the possession or carrying of a firearm known as a detonator and commonly used on motor vehicles as a signalling and marking device, when carried or possessed for such signalling and marking purposes.

SECTION 7. Said chapter 140 is hereby further amended by striking out section 131A, as most recently amended by section 16 of said chapter 688, and inserting in place thereof the following section:—*Section 131A.* A licensing authority under section one hundred and thirty-one, upon the application of a person qualified to be granted a license thereunder by such authority, may grant to such a person, other than a minor, a permit to purchase, rent or lease a firearm if it appears that such purchase, rental or lease is for a proper purpose, and may revoke such permit at will. Such permits shall be issued on forms furnished by the commissioner of public safety, shall be valid for not more than ten days after issue, and a copy of every such permit so issued shall within one week thereafter be sent to the said commissioner. Whoever knowingly issues a permit in violation of this section shall be punished by imprisonment for not less than six months nor more than two years in a jail or house of correction.

SECTION 8. Said chapter 140 is hereby further amended by striking out section 131F, inserted by section 20 of said chapter 688, and inserting in place thereof the following section:—*Section 131F.* A temporary license to carry firearms within the commonwealth may be issued by the commissioner of public safety, or persons authorized by him, to a non-resident or any person not falling within the jurisdiction of a local licensing authority, provided that no license shall be issued to an alien, a person convicted of a felony, or convicted of the unlawful use, possession or sale of narcotic or harmful drugs. Such license shall be valid for a period of one month, but the commissioner may

renew said license, if in his discretion such renewal is necessary. Temporary licenses issued under this section shall be marked "Temporary License to carry Firearms," and shall not be used to purchase firearms in the commonwealth as provided for in section one hundred and thirty-one E. A license issued under the provisions of this section to a non-resident who is in the employ of a bank, public utility corporation, or a firm engaged in the business of transferring monies, or business of similar nature, or a firm licensed as a private detective under the provisions of chapter one hundred and forty-seven, and whose application is endorsed by his employer, or who is a member of the armed services and is stationed within the territorial boundaries of the commonwealth and has the written consent of his commanding officer, may be issued for any term not to exceed two years, and said licenses shall expire in accordance with the provisions of section one hundred and thirty-one.

SECTION 9. Chapter 269 of the General Laws is hereby amended by striking out section 12A, inserted by chapter 263 of the acts of 1951, and inserting in place thereof the following section:—*Section 12A.* Whoever sells to a minor under the age of eighteen or whoever, not being the parent, guardian or adult teacher or instructor, furnishes to a minor under the age of eighteen an air rifle or so-called BB gun, shall be punished by a fine of not less than fifty nor more than two hundred dollars or by imprisonment for not more than six months.

Approved May 11, 1959.

Chap. 297. AN ACT PROVIDING FOR THE FIRST ASSISTANT ATTORNEY GENERAL TO SERVE DURING CERTAIN VACANCIES IN THE OFFICE OF THE ATTORNEY GENERAL.

Be it enacted, etc., as follows:

SECTION 1. Chapter 12 of the General Laws is hereby amended by striking out section 2, as most recently amended by section 2 of chapter 647 of the acts of 1941, and inserting in place thereof the following section:—*Section 2.* He shall appoint a first assistant attorney general and may appoint such other assistants as the duties of the department require and a chief clerk and, with the approval of the governor and council, shall fix their compensation. He may, with the approval of the governor and council, employ additional legal assistance. Appointments under this section, other than that of chief clerk, shall be exempt from chapter thirty-one. Persons appointed as assistant attorneys general shall, in the event of a vacancy in the office of attorney general continue in the office until an attorney general is duly qualified.

SECTION 2. Said chapter 12 is hereby further amended by inserting after section 2 the following section:—*Section 2A.* If the attorney general is disabled from performing his official duties, the first assistant attorney general shall perform the same during such disability. If the attorney general is disabled from performing his official duties and the first assistant attorney general is also disabled, the governor shall appoint one of the other assistant attorneys general to perform the official duties of the attorney general during the dis-

ability of the attorney general and the first assistant attorney general. In the event of a vacancy in the office of attorney general, the first assistant attorney general shall be continued in office and shall perform all statutory duties of the attorney general until an attorney general is duly qualified. In the event that the first assistant attorney general is disabled or is unable to fill the vacancy in the office of attorney general, the governor shall appoint one of the other assistant attorneys general to perform the statutory duties of the office during the disability of the first assistant attorney general or until an attorney general is duly qualified. The person upon whom such duties shall devolve shall notwithstanding anything to the contrary herein contained possess the powers and perform the duties of the attorney general only in matters not admitting of delay, but shall have no power to make appointments.

Approved May 11, 1959.

Chap. 298. AN ACT PLACING THE OFFICE OF ATTORNEY GENERAL BEFORE THE OFFICES OF TREASURER AND AUDITOR ON BALLOTS AND VOTING MACHINE LABELS USED AT STATE PRIMARIES AND ELECTIONS.

Be it enacted, etc., as follows:

Section 43A of chapter 54 of the General Laws, inserted by section 1 of chapter 126 of the acts of 1957, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:—At state elections and primaries at which any of the following offices are to be voted for, such offices shall appear on ballots and on ballot labels on voting machines in the following order consecutively:—Presidential elector, senator in congress, governor, lieutenant governor, secretary of state, attorney general, treasurer and receiver general, auditor, congressman, councillor, senator, and representative in the general court; all other offices to be voted for shall immediately follow said offices consecutively, in such order as the secretary of state may determine; and on ballots, and on ballot labels on voting machines on which the names of the candidates of each political party are arranged in a vertical row, questions to the voters shall follow all of said offices, in such order as the secretary of state may determine.

Approved May 11, 1959.

Chap. 299. AN ACT FURTHER REGULATING CERTAIN INFORMATION REQUIRED ON PAY ROLLS OF CITIES AND TOWNS.

Be it enacted, etc., as follows:

Chapter 41 of the General Laws is hereby amended by striking out section 42, as appearing in the Tercenary Edition, and inserting in place thereof the following section:—*Section 42.* Every such pay roll, bill or account shall contain the following information: First, full name of each employee; second, title of office or position authorized by the division of civil service wherever applicable, otherwise title authorized by appointing authority; third, salary, wages or other compensation; fourth, dates of employment.

Approved May 11, 1959.

Chap. 300. AN ACT RELATIVE TO SUBROGATED AUTOMOBILE PROPERTY DAMAGE CLAIMS.

Be it enacted, etc., as follows:

Chapter 231 of the General Laws is hereby amended by inserting after section 85D the following section:—*Section 85E.* In any action to recover for damage to a motor vehicle brought in the name of a person or persons holding a security interest in said motor vehicle, any defense which would be available as against any registered owner thereof shall be available as against the person or persons holding said security interest.

Approved May 11, 1959.

Chap. 301. AN ACT INCREASING CERTAIN FEES FOR MEDICAL EXAMINERS AND ASSOCIATE MEDICAL EXAMINERS.

Be it enacted, etc., as follows:

SECTION 1. Section 5 of chapter 38 of the General Laws is hereby amended by striking out the last sentence, as amended by section 3 of chapter 632 of the acts of 1945, and inserting in place thereof the following sentence:—Medical examiners and associate medical examiners in other counties shall receive fees as follows: For a view without an autopsy, fifteen dollars; for a view with an autopsy, thirty-five dollars; and for travel, ten cents a mile for each mile traveled in the investigation of a death; for attendance as a witness at inquests or in criminal cases in district courts and superior courts, thirty-five dollars for each day of such attendance; and for travel, ten cents a mile to and from the place where such inquest or court trial is held.

SECTION 2. Section 16 of said chapter 38, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 3, the word “seven” and inserting in place thereof the word:—ten.

Approved May 12, 1959.

Chap. 302. AN ACT RELATIVE TO SALES OF COPIES OF RULES OF THE COURTS.

Be it enacted, etc., as follows:

SECTION 1. Section 3A of chapter 213 of the General Laws, inserted by section 1 of chapter 654 of the acts of 1949, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:—Each such clerk shall in January in each year pay into the state treasury all sums received from the sale of such copies during the preceding year, and shall also in said month report in writing to the chief justice the number of such copies sold during the preceding year and the number remaining on hand at the end thereof.

SECTION 2. This act shall take effect on February first, nineteen hundred and sixty and the provisions of section three A of chapter two hundred and thirteen of the General Laws, as amended by section one of this act, shall apply to the sale of such copies on and after January first, nineteen hundred and sixty. *Approved May 12, 1959.*

Chap. 303. AN ACT INCREASING THE APPROPRIATION RELATIVE TO THE MOSQUITO CONTROL PROJECT IN BERKSHIRE COUNTY.

Be it enacted, etc., as follows:

Chapter 456 of the acts of 1945 is hereby amended by striking out section 1, as amended by section 1 of chapter 734 of the acts of 1950, and inserting in place thereof the following section:—*Section 1.* The area included in the cities and towns comprising the county of Berkshire is hereby constituted a mosquito control project under section five A of chapter two hundred and fifty-two of the General Laws, to the same extent as if so constituted by the state reclamation board acting under said section five A, and the improvements herein authorized shall be undertaken under the identifying name of the Berkshire County Mosquito Control Project. Beginning with the fiscal year commencing on July first, nineteen hundred and fifty-nine, to meet the expenses incurred under this act there shall annually be expended from the state treasury, subject to appropriation, sums equal, in the aggregate, to forty cents on each one thousand dollars of the taxable valuations of all such cities and towns, and the state treasurer shall issue his warrant requiring the assessors of such cities and towns to assess a tax to the amount of the sums so expended in proportion to their said valuations, and such amounts shall be collected and paid to the state treasurer as provided by section twenty of chapter fifty-nine of the General Laws; provided, that any such city or town may in any year anticipate in whole or in part its assessment, and appropriate, raise and deposit the amount thereof with the state treasurer, and any sum so deposited shall be credited against such assessment. There may also be expended for the purposes of this act voluntary contributions for such purposes deposited in the state treasury.

Approved May 12, 1959.

Chap. 304. AN ACT IMPOSING A PENALTY FOR PROSTITUTION.

Be it enacted, etc., as follows:

SECTION 1. Chapter 272 of the General Laws is hereby amended by striking out section 53, as most recently amended by section 21 of chapter 715 of the acts of 1956, and inserting in place thereof the following section:—*Section 53.* Stubborn children, runaways, common night walkers, both male and female, common railers and brawlers, persons who with offensive and disorderly act or language accost or annoy persons of the opposite sex, lewd, wanton and lascivious persons in speech or behavior, idle and disorderly persons, prostitutes, disturbers of the peace, keepers of noisy and disorderly houses and persons guilty of indecent exposure may be punished by imprisonment in a jail or house of correction for not more than six months, or by a fine of not more than two hundred dollars, or by both such fine and imprisonment.

SECTION 2. The schedule of forms and pleadings at the end of chapter 277 of the General Laws is hereby amended by inserting after the form of complaint or indictment for "*Open and gross lewdness*" the following form:—

Prostitute. (Under Chap. 272, §53.)—That A. B. a female, was a prostitute offering her body to indiscriminate intercourse with men for hire.
Approved May 12, 1959.

Chap. 305. AN ACT PROVIDING FOR PAYMENT OF DEATH BENEFITS TO MEMBERS OF THE FITCHBURG POLICE RELIEF ASSOCIATION UPON THEIR RETIREMENT FROM THE POLICE DEPARTMENT OF THE CITY OF FITCHBURG.

Be it enacted, etc., as follows:

Any member of the Fitchburg Police Relief Association who ceases to be a member of the Fitchburg police department shall thereupon cease to be a member of said association, and shall no longer be entitled to any benefits therefrom; provided, however, that any member of said association who ceases to be a member of said department by reason of being retired shall, within thirty days after such retirement, be paid from the funds of said association a sum of money equal to the death benefit provided by its by-laws. *Approved May 12, 1959.*

Chap. 306. AN ACT PROVIDING THAT CIRCUIT DRIVE IN THE CITY OF BOSTON BE KNOWN AND DESIGNATED AS JEWISH WAR VETERANS DRIVE.

Be it enacted, etc., as follows:

The road in Franklin Park in the city of Boston now known as Circuit drive shall hereafter be known and designated as Jewish War Veterans drive. Suitable markers bearing said designation shall be erected along said road by the city of Boston.

Approved May 12, 1959.

Chap. 307. AN ACT INCREASING BAIL FEES IN CERTAIN CASES.

Be it enacted, etc., as follows:

Chapter 262 of the General Laws is hereby amended by striking out section 24, as most recently amended by chapter 244 of the acts of 1955, and inserting in place thereof the following section:—*Section 24.* The maximum fee to be charged by any person authorized to take bail in the case of a person arrested for any misdemeanor shall be three dollars, except that when an arrest is made and bail taken between the hours of twelve midnight and six o'clock in the morning the maximum fee shall be seven dollars for the first charge and five dollars for each additional charge.

Approved May 12, 1959.

Chap. 308. AN ACT AUTHORIZING THE STATE BOARD OF EDUCATION TO INCLUDE PRIVATE SECONDARY SCHOOLS IN THE STATE PLAN TO BE SUBMITTED IN ACCORDANCE WITH THE PROVISIONS OF THE NATIONAL DEFENSE EDUCATION ACT OF 1958, AND TO DISBURSE CERTAIN FEDERAL FUNDS RECEIVED UNDER SAID ACT TO SAID PRIVATE SECONDARY SCHOOLS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to authorize forthwith the state board of education to disburse certain federal funds received under the National Defense Education Act of 1958 to private secondary schools, and to include said schools in a state program in connection with said act, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public welfare and convenience.

Be it enacted, etc., as follows:

Chapter 664 of the acts of 1958 is hereby amended by adding at the end the following two paragraphs:—The state board of education is hereby authorized to include in any plan filed with the United States Commissioner of Education pursuant to Section 503 of said National Defense Education Act, appropriate provisions for the testing of students in private schools and private school systems, to be conducted in compliance with the requirements of the said National Defense Education Act.

The state board of education is also authorized to make payments from federal funds received under Part A of Title V of said National Defense Education Act to private secondary schools and to private secondary school systems to cover the cost of testing students in such schools or school systems in order to identify students with outstanding aptitudes and ability, in accordance with and to the extent permitted by said Section 503 of said National Defense Education Act.

Approved May 18, 1959.

Chap. 309. AN ACT AUTHORIZING THE TOWN OF LEXINGTON TO APPROPRIATE AND PAY A CERTAIN SUM OF MONEY TO MARK MOORE, JR., AS TRUSTEE OF MOORE REALTY TRUST.

Be it enacted, etc., as follows:

SECTION 1. The town of Lexington is hereby authorized to appropriate and pay to Mark Moore, Jr., as Trustee of Moore Realty Trust, the sum of five thousand dollars to reimburse him for the excess money expended by him as said trustee in constructing a box culvert in Emerson road to a more than normal length, as required by the town planning board in its approval of a subdivision plan entitled "Burnham Farms Section Two Lexington - Mass.", so as to be of adequate length if the town should decide to widen the pavement of said road to make it a major traffic road.

SECTION 2. The action taken by said town at its annual town meeting on March sixteenth in the current year, subject to the authority contained in section one of this act, is hereby validated and confirmed

and shall have the same effect as though this act were in full force and effect on the date of the posting of the warrant for said meeting.

SECTION 3. This act shall take effect upon its passage.

Approved May 18, 1959.

Chap. 310. AN ACT MAKING APPROPRIATIONS FOR THE MAINTENANCE OF DUKES COUNTY, ITS DEPARTMENTS, BOARDS, COMMISSIONS AND INSTITUTIONS, OF SUNDRY OTHER SERVICES, FOR CERTAIN PERMANENT IMPROVEMENTS, FOR INTEREST AND DEBT REQUIREMENTS, AND TO MEET CERTAIN REQUIREMENTS OF LAW AND GRANTING A COUNTY TAX FOR SAID COUNTY.

Whereas, The deferred operation of this act would result in unnecessarily extending the period during which county expenditures would be made in anticipation of appropriation, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. To provide for the maintenance of Dukes county, its departments, boards, commissions and institutions, of sundry other services, for certain permanent improvements, for interest and debt requirements, and to meet certain requirements of law, the following sums for the several purposes and subject to the conditions specified in section two are hereby appropriated, subject to the provisions of law regulating the disbursement of county funds and the approval thereof for the year nineteen hundred and fifty-nine:—

DUKES COUNTY.

Item	
1. For interest on county debt	\$9,480 00
2. For reduction of county debt	26,000 00
3. For county commissioners, salaries and expenses ..	5,349 33
4. For transportation and expenses of county and acting commissioners	500 00
5. For clerk of courts, salaries and expenses	7,600 00
6. For county treasurer, salaries and expenses	4,026 50
7. For sheriff, salary and expenses	3,635 00
8. For registry of deeds, salaries and expenses	15,255 00
8a. For registry of probate, salaries and expenses	3,200 00
9. For law library, salaries and expenses	750 00
10. For highways, including state highways, bridges and land damages	24,500 00
12. For criminal costs in superior court	5,010 89
13. For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees	1,000 00
14. For district courts, salaries and expenses	16,786 91
15. For medical examiners and commitments of insane	500 00
16. For jail and house of correction, maintenance and operation	10,905 00

Item

18.	For court house and registry building, maintenance and operation	\$6,535 75
20.	For agricultural school or county aid to agriculture, maintenance and operation	14,449 08
21.	For state reservation, maintenance and operation, Gay Head	1,000 00
21a.	For state reservation, maintenance and operation, Indian Burial Ground	400 00
25.	For contributory retirement system and supervisory expenses	3,786 52
26.	For miscellaneous and contingent expenses	7,063 56
27.	For unpaid bills of previous years	2,000 00
28.	For reserve fund	3,000 00
29.	For advertising recreational advantages of the county	20,000 00
30.	For county rodent control	6,150 00
31.	For county airport, maintenance and operation ...	39,398 46
32.	For woodtick control	1,250 00
34.	For Dukes County soil conservation district	250 00
39.	For group insurance	3,500 00

Total Amount of Appropriations	\$243,282 00
Less Estimated amount available for Reduction of County Tax	49,971 94

And the county commissioners of Dukes County are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of \$193,310 06

SECTION 2. Sums appropriated in section one are based upon detailed schedules approved by the joint committee on counties, copies of which are deposited with the director of accounts.

Said director shall file with the county commissioners and the county treasurer of Dukes county a certification of the amounts above appropriated as set forth in the approved schedules for said county. Except as provided by this act or except as otherwise provided by law, no liability may be incurred and no expenditure shall be made in excess of the amount available in an existing appropriation for a function, a main group, a class or a sub-class.

Transfers within an appropriation from a main group to another main group may be made upon written request of the authorized official of the organization unit with the written approval of said county commissioners, and copies of said request and approval shall be filed with the county treasurer; provided, however, that no transfer shall be made from the main groups "personal services" or "equipment" to another main group nor shall any transfer be made from any other main group into the main groups "personal services" or "equipment".

Transfers within an appropriation between classes and between sub-classes within a main group may be made by the authorized official of the organization unit whenever in his opinion public necessity and

convenience so requires; provided, however, that no transfer shall be made within the classes of the main groups "personal services" or "equipment".

Amounts included for permanent positions in sums appropriated in section one for personal services are based upon schedules of permanent positions and salary rates as approved by the joint committee on counties, and, except as otherwise shown by the files of said committee, a copy of which shall be deposited with the county personnel board, no part of sums so appropriated in section one shall be available for payment of salaries of any additional permanent positions, or for payments on account of reallocations of permanent positions, or for payments on account of any change of salary range or compensation of any permanent positions, notwithstanding any special or general act to the contrary.

Moneys appropriated under this act for the purchase of equipment shall be expended for the purposes specified in the schedules as approved by the joint committee on counties and for no other purpose.

No direct drafts against the account known as the reserve fund shall be made, but transfers from this account to other accounts may be made to meet extraordinary or unforeseen expenditures upon the request of the county commissioners with the approval of the director of accounts.

SECTION 3. No expense incurred for mid-day meals by county officers and employees, other than those who receive as part of their compensation a non-cash allowance in the form of full or complete boarding and housing, and those county officers and employees who are stationed beyond commuting distance from their homes for a period of more than twenty-four hours, shall be allowed by any county; provided, that officers or employees who have charge of juries or who have the care and custody of prisoners, insane persons or other persons placed in their charge by a court or under legal proceedings for transfer to or from court to an institution or from institution to institution and persons certified by a district attorney as engaged in investigation shall be reimbursed for the expense of mid-day meals when necessarily engaged on such duty; and provided, further, that county officers and employees in attendance at meetings and conferences called by or for any group or class on a statewide basis shall be so reimbursed.

No moneys appropriated under this act shall be expended by county officers or employees for telephone service furnished to such officers or employees at places other than regular county offices.

SECTION 4. The allowance to county officers and employees for expenses incurred by them in the operation of motor vehicles owned by them or by any member of their immediate families and used in the performance of their official duties shall not exceed eight cents a mile, except in cases where a higher allowance is specifically provided by statute; provided, that in the case of commitments of the insane the justice of the court ordering the commitment may order a higher rate. No expenditures shall be made for travel outside the commonwealth for attendance at conferences or conventions.

SECTION 5. Any provision of general or special law to the contrary notwithstanding, any county officer or employee whose salary

rate on July first, nineteen hundred and fifty-seven, was limited to an increase in rate of one thousand dollars shall receive an increase in salary rate of not more than one step in his salary grade, effective on his anniversary date or on July first, nineteen hundred and fifty-nine, in accordance with approved list filed with the county personnel board by the joint committee on counties. *Approved May 18, 1959.*

Chap. 311. AN ACT MAKING APPROPRIATIONS FOR THE MAINTENANCE OF NORFOLK COUNTY, ITS DEPARTMENTS, BOARDS, COMMISSIONS AND INSTITUTIONS, OF SUNDRY OTHER SERVICES, FOR CERTAIN PERMANENT IMPROVEMENTS, FOR INTEREST AND DEBT REQUIREMENTS, AND TO MEET CERTAIN REQUIREMENTS OF LAW AND GRANTING A COUNTY TAX FOR SAID COUNTY.

Whereas, The deferred operation of this act would result in unnecessarily extending the period during which county expenditures would be made in anticipation of appropriation, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. To provide for the maintenance of Norfolk county, its departments, boards, commissions and institutions, of sundry other services, for certain permanent improvements, for interest and debt requirements, and to meet certain requirements of law, the following sums for the several purposes and subject to the conditions specified in section two are hereby appropriated, subject to the provisions of law regulating the disbursement of county funds and the approval thereof for the year nineteen hundred and fifty-nine:—

NORFOLK COUNTY.

Item		
1.	For interest on county debt	\$10,762 50
2.	For reduction of county debt	50,000 00
3.	For county commissioners, salaries and expenses	23,287 00
4.	For transportation and expenses of county and acting commissioners	645 00
5.	For clerk of courts, salaries and expenses	65,120 42
6.	For county treasurer, salaries and expenses	33,330 00
7.	For sheriff, salary and expenses	9,050 00
8.	For registry of deeds, salaries and expenses	323,975 49
8a.	For registry of probate, salaries and expenses ..	24,575 00
9.	For law library, salaries and expenses	6,971 90
10.	For highways, including state highways, bridges and land damages	447,801 23
12.	For criminal costs in superior court	133,483 31
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees	186,600 00
14.	For district courts, salaries and expenses	519,721 07
15.	For medical examiners and commitments of insane	34,500 00

Item		
16.	For jail and house of correction, maintenance and operation	\$226,230 34
17.	For training school	55,000 00
18.	For court houses and registry buildings, maintenance and operation	203,614 67
19.	For construction of county buildings and/or purchase of land	25,000 00
20.	For agricultural school or county aid to agriculture, maintenance and operation	420,977 83
24.	For non-contributory pensions	20,000 00
25.	For contributory retirement system and supervisory expenses	59,212 27
26.	For miscellaneous and contingent expenses	11,292 39
27.	For unpaid bills of previous years	7,800 00
28.	For reserve fund	20,000 00
30.	For forest fire patrol	3,500 00
39.	For group insurance	25,000 00
Total Amount of Appropriations		\$2,947,450 42
Less Estimated amount available for Reduction of County Tax		925,098 98

And the county commissioners of Norfolk County are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of \$2,022,351 44

SECTION 2. Sums appropriated in section one are based upon detailed schedules approved by the joint committee on counties, copies of which are deposited with the director of accounts.

Said director shall file with the county commissioners and the county treasurer of Norfolk county a certification of the amounts above appropriated as set forth in the approved schedules for said county. Except as provided by this act or except as otherwise provided by law, no liability may be incurred and no expenditure shall be made in excess of the amount available in an existing appropriation for a function, a main group, a class or a sub-class.

Transfers within an appropriation from a main group to another main group may be made upon written request of the authorized official of the organization unit with the written approval of said county commissioners, and copies of said request and approval shall be filed with the county treasurer; provided, however, that no transfer shall be made from the main groups "personal services" or "equipment" to another main group nor shall any transfer be made from any other main group into the main groups "personal services" or "equipment".

Transfers within an appropriation between classes and between sub-classes within a main group may be made by the authorized official of the organization unit whenever in his opinion public necessity and convenience so requires; provided, however, that no transfer shall be made within the classes of the main groups "personal services" or "equipment".

Amounts included for permanent positions in sums appropriated in section one for personal services are based upon schedules of permanent positions and salary rates as approved by the joint committee on counties, and, except as otherwise shown by the files of said committee, a copy of which shall be deposited with the county personnel board, no part of sums so appropriated in section one shall be available for payment of salaries of any additional permanent positions, or for payments on account of reallocations of permanent positions, or for payments on account of any change of salary range or compensation of any permanent positions, notwithstanding any special or general act to the contrary.

Moneys appropriated under this act for the purchase of equipment shall be expended for the purposes specified in the schedules as approved by the joint committee on counties and for no other purpose.

No direct drafts against the account known as the reserve fund shall be made, but transfers from this account to other accounts may be made to meet extraordinary or unforeseen expenditures upon the request of the county commissioners with the approval of the director of accounts.

SECTION 3. No expense incurred for mid-day meals by county officers and employees, other than those who receive as part of their compensation a non-cash allowance in the form of full or complete boarding and housing, and those county officers and employees who are stationed beyond commuting distance from their homes for a period of more than twenty-four hours, shall be allowed by any county; provided, that officers or employees who have charge of juries or who have the care and custody of prisoners, insane persons or other persons placed in their charge by a court or under legal proceedings for transfer to or from court to an institution or from institution to institution and persons certified by a district attorney as engaged in investigation shall be reimbursed for the expense of mid-day meals when necessarily engaged on such duty; and provided, further, that county officers and employees in attendance at meetings and conferences called by or for any group or class on a statewide basis shall be so reimbursed.

No moneys appropriated under this act shall be expended by county officers or employees for telephone service furnished to such officers or employees at places other than regular county offices.

SECTION 4. The allowance to county officers and employees for expenses incurred by them in the operation of motor vehicles owned by them or by any member of their immediate families and used in the performance of their official duties shall not exceed eight cents a mile, except in cases where a higher allowance is specifically provided by statute; provided, that in the case of commitments of the insane the justice of the court ordering the commitment may order a higher rate. No expenditures shall be made for travel outside the commonwealth for attendance at conferences or conventions.

SECTION 5. Any provision of general or special law to the contrary notwithstanding, any county officer or employee whose salary rate on July first, nineteen hundred and fifty-seven, was limited to an increase in rate of one thousand dollars shall receive an increase in

salary rate of not more than one step in his salary grade, effective on his anniversary date or on July first, nineteen hundred and fifty-nine, in accordance with approved list filed with the county personnel board by the joint committee on counties. *Approved May 18, 1959.*

Chap. 312. AN ACT RELATIVE TO THE EXPIRATION DATES AND RENEWAL FEES OF ELECTRICIANS' LICENSES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is in part to provide forthwith electricians' licenses, which expire annually on July thirty-first, be renewable for a two-year period and in part to regulate the amount to be paid upon the expiration date of such license for a renewal, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public welfare and convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 3 of chapter 141 of the General Laws is hereby amended by striking out clause (4), as amended by section 1 of chapter 347 of the acts of 1934, and inserting in place thereof the following clause:—

(4) Each "Certificate A" shall expire on July thirty-first in each odd numbered year, but may be renewed by the same person, or the same firm or corporation acting by one or more of its members or officers, without further examination, upon payment of a fee of thirty dollars, application therefor being made during said month or, in case of absence, sickness or other disability of the holder, at such time thereafter as the examiners may permit.

SECTION 2. Said section 3 of said chapter 141 is hereby further amended by striking out clause (5), as amended by section 2 of chapter 190 of the acts of 1954, and inserting in place thereof the following clause:—

(5) Each "Certificate B" shall expire on July thirty-first in each odd numbered year, but may be renewed upon payment of a fee of five dollars, and upon the same conditions set forth in clause (4).

Approved May 18, 1959.

Chap. 313. AN ACT MAKING CERTAIN CORRECTIVE CHANGES IN THE GENERAL LAWS BY STRIKING OUT REFERENCES TO THE OFFICE OF TRIAL JUSTICE.

Be it enacted, etc., as follows:

SECTION 1. Section 40 of chapter 138 of the General Laws, as appearing in section 2 of chapter 376 of the acts of 1933, is hereby amended by striking out, in line 1, the words "or trial justice".

SECTION 2. The first paragraph of section 42 of said chapter 138, as so appearing, is hereby amended by striking out, in line 2, and in lines 20 and 21, the words "or trial justice".

SECTION 3. Section 47 of said chapter 138, as so appearing, is hereby amended by striking out, in line 1, the words "or trial jus-

justice",—by striking out, in lines 5 and 6, the words "or by the trial justice,"—and by striking out, in lines 9 and 10, the words "or trial justice".

SECTION 4. Section 50 of said chapter 138, as so appearing, is hereby amended by striking out, in lines 8, 14 and 21, in each instance, the words "or trial justice".

SECTION 5. Section 51 of said chapter 138, as so appearing, is hereby amended by striking out, in lines 2 and 3, the words "or trial justice",—and by striking out, in lines 4 and 5, and in line 15, the words "or justice".

SECTION 6. Section 52 of said chapter 138, as so appearing, is hereby amended by striking out, in line 3, and in lines 9 and 10, the words "or trial justice".

SECTION 7. Section 53 of said chapter 138, as so appearing, is hereby amended by striking out, in lines 4 and 5, the words "or trial justice",—and by striking out, in line 11, the words "or justice".

SECTION 8. Section 54 of said chapter 138, as so appearing, is hereby amended by striking out, in line 10, the words "or trial justice".

SECTION 9. Section 9 of chapter 272 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in lines 1 and 2, 7, 14, 15, and 16, in each instance, the words "or trial justice".

SECTION 10. Said chapter 272 is hereby further amended by striking out section 45, as most recently amended by chapter 409 of the acts of 1947, and inserting in place thereof the following section:—*Section 45.* Whoever arrests a person for drunkenness shall make a complaint against him therefor at the next session of the court having jurisdiction of the case; and such court may proceed to hear and to dispose of the same according to due course of law; and may, if the accused has been released under this section, order the issuance of a warrant for the arrest, or a summons for the appearance, of the accused for trial, or if the court is satisfied by the report of its probation officer, or otherwise, the court may thereupon direct that the accused, if still in custody, be released without arraignment; and if not in custody, that further proceedings in the case be suspended or that the complaint be dismissed.

A person so arrested may, after he has recovered from his intoxication, make a written statement, addressed to the court having jurisdiction of his offence, giving his name and address, setting forth what persons, if any, are dependent upon him for support, his place of employment, if any, and whether he has been arrested for drunkenness within the twelve months next preceding, and requesting to be released from custody; and may deliver said statement to the officer in charge of the place in which he is confined, who shall endorse thereon the name of the arresting officer, and shall transmit such statement to a probation officer of said court. Said probation officer, or his assistants, shall forthwith inquire into the truth thereof and shall investigate the record of said person as to previous similar offences, and, for the use of the court having jurisdiction of the case, shall endorse on such statement, with his signature, the result of his investigation. The officer for the time being in charge of the place of custody in a

town where no probation officer resides forthwith may release, and elsewhere the probation officer or assistant probation officer of the court having jurisdiction of the offence may direct the officer in charge of the place of custody forthwith to release, and such officer so in charge shall thereupon release, such arrested person pursuant to his request; provided, that the officer so releasing or directing the release believes that the person arrested has given his true name and address, that he will appear upon a summons, and that he has not four times before been arrested for drunkenness within the preceding twelve months.

SECTION 11. Section 47 of said chapter 272, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 1, the words "or trial justice".

SECTION 12. Section 67 of said chapter 272, as so appearing, is hereby amended by striking out, in line 4, the words "or trial justice".

SECTION 13. Section 69 of said chapter 272, as so appearing, is hereby amended by striking out, in line 4, the words "or trial justice".

SECTION 14. Section 90 of said chapter 272, as so appearing, is hereby amended by striking out, in lines 4 and 5, the words "or a trial justice".

SECTION 15. Section 91 of said chapter 272, as so appearing, is hereby amended by striking out, in lines 2 and 3, the words "or a trial justice", and by striking out, in lines 5 and 10, in each instance, the words "justice or".

SECTION 16. Section 4 of chapter 273 of the General Laws, as so appearing, is hereby amended by striking out, in line 1, the words "or a trial justice",—by striking out, in line 2, the words "or trial justice",—and by striking out, in line 10, the words "or by a trial justice".

SECTION 17. Section 1 of chapter 275 of the General Laws, as so appearing, is hereby amended by striking out, in line 2, the words "of district courts and trial justices" and inserting in place thereof the words:—and of district courts.

SECTION 18. Section 8 of said chapter 275, as so appearing, is hereby amended by striking out, in line 2, the words "or trial justice".

SECTION 19. Section 2 of chapter 276 of the General Laws, as so appearing, is hereby amended by striking out, in line 8, the words "or trial justice".

SECTION 20. Section 8 of said chapter 276, as so appearing, is hereby amended by striking out, in line 2, the words "or trial justice".

SECTION 21. Section 22 of said chapter 276, as so appearing, is hereby amended by striking out, in line 8, the words "or trial justice".

SECTION 22. Section 34 of said chapter 276, as so appearing, is hereby amended by striking out, in lines 2 and 3, the words "or trial justice".

SECTION 23. Section 37A of said chapter 276, inserted by section 43 of chapter 180 of the acts of 1932, is hereby amended by striking out, in lines 2 and 3, the words "or trial justice",—by striking out, in lines 7 and 10, in each instance, the words "or by the trial justice",—and by striking out, in line 14, the words "or before the trial justice,".

SECTION 24. Section 44 of said chapter 276, as appearing in the Terecentenary Edition, is hereby amended by striking out, in line 4, the words "or before the trial justice".

SECTION 25. Section 61 of said chapter 276, as so appearing, is hereby amended by striking out, in line 26, the words "or trial justice",—and by striking out, in line 27, the words "or whom".

SECTION 26. Section 79 of said chapter 276, as so appearing, is hereby amended by striking out, in line 5, the words "or trial justice",—by striking out, in line 9, and in lines 11 and 12, in each instance, the words "trial justice",—and by striking out, in lines 13 and 14, the words "or with the trial justice before whom such person was recognized to appear".

SECTION 27. Section 80 of said chapter 276, as so appearing, is hereby amended by striking out, in line 2, the words "or trial justice" and by striking out, in lines 5 and 6, the words "or trial justice,".

Approved May 18, 1959.

Chap. 314. AN ACT AUTHORIZING THE WALTHAM POLICE RELIEF ASSOCIATION TO PAY CERTAIN BENEFITS TO CERTAIN RETIRED MEMBERS OF THE WALTHAM POLICE DEPARTMENT.

Be it enacted, etc., as follows:

SECTION 1. The Waltham Police Relief Association, a corporation duly organized under the laws of the commonwealth, is hereby authorized, upon the retirement of any member in good standing from the police department of the city of Waltham, to pay such member such sum, not exceeding five hundred dollars, as may be determined by vote of the board of directors of said corporation. Said association is hereby further authorized to pay to a member upon the death of his wife such sum, not exceeding five hundred dollars, as may be determined by said board.

SECTION 2. The Waltham Police Relief Association is hereby further authorized to pay to Thomas Henry, Thomas McKeown and Bernard Clare, former members of said association and retired members of the Waltham police department, such sum, not exceeding five hundred dollars each, as may be determined by vote of its board of directors.

Approved May 18, 1959.

Chap. 315. AN ACT ESTABLISHING PENALTIES FOR PERSONS WHO AID, ASSIST OR ADVISE IN THE PREPARATION OF FRAUDULENT INCOME TAX RETURNS, AND FOR CERTAIN PERSONS WHO FAIL TO PAY CERTAIN MONEY TO THE TAX COMMISSIONER.

Be it enacted, etc., as follows:

Section 56 of chapter 62 of the General Laws, as most recently amended by section 2 of chapter 539 of the acts of 1955, is hereby further amended by adding at the end the following two paragraphs:—

Any person who wilfully aids or assists in, procures, counsels or advises the preparation or filing of a return, application or other document under, or in connection with any matter arising under, this

chapter, which is fraudulent and known by him to be fraudulent, whether or not such fraud is with the knowledge or consent of the person required to file such return, application or document, shall be punished as provided in this section.

Any person who, in connection with the preparation of a tax return for another, receives money from such other person to be paid to the commissioner to discharge in whole or in part such other person's liability under this chapter and fails to pay the same to the commissioner, shall be punished as provided in this section.

Approved May 18, 1959.

Chap. 316. AN ACT REQUIRING A CONTRACTOR MAKING AN EXCAVATION IN A PUBLIC WAY TO GIVE NOTICE THEREOF TO PUBLIC UTILITY COMPANIES.

Be it enacted, etc., as follows:

Chapter 82 of the General Laws is hereby amended by inserting after section 39 the following section:—*Section 40.* No person, other than a direct employee of the commonwealth or any political subdivision thereof or of a public utility company, as defined in section three of chapter twenty-five, shall, except in an emergency, make an excavation in a public way unless at least forty-eight hours, exclusive of Saturdays, Sundays and legal holidays, before the proposed excavation is to be made, he has given notice in writing of the proposed excavation to natural gas pipe line companies and to such public utility companies as supply gas, electricity, water or telephone service in the city or town in which such way is located. Such notice shall set forth the name of the street, or route number of the way, and a reasonably accurate description of the location in which the excavation is to be made. If, because of an emergency, such notice cannot be given as aforesaid, it shall be given as soon as may be practicable.

Where an excavation is to be made by a contractor as part of the work required by a contract with the commonwealth or with any political subdivision thereof or other public agency, for the construction, reconstruction, relocation or improvement of a public way or for the installation of a railway track, conduit, sewer or water main, such contractor shall be deemed to have complied with the requirements of this section by giving one such notice setting forth the location and approximate length of the project to each of said companies.

Proper return notice shall be made by said companies designating the location, if any, of pipes or conduits in that portion of the public way in which such excavation is to be made. Any such excavation shall be performed in such manner, and such reasonable precautions taken, as to avoid damage to the pipes or conduits in use under the surface of said way.

Any person failing to give the notification required by the first paragraph of this section shall be punished by a fine of not more than fifty dollars.

Nothing contained in this section shall be construed to affect or impair local ordinances or by-laws requiring permits to be obtained before excavating in a public way.

Approved May 18, 1959.

Chap. 317. AN ACT RELATIVE TO THE PUBLICATION OF NOTICES OF CERTAIN HEARINGS UNDER THE ZONING ENABLING ACT.

Be it enacted, etc., as follows:

SECTION 1. Chapter 40A of the General Laws is hereby amended by striking out section 6, as most recently amended by chapter 137 of the acts of 1957, and inserting in place thereof the following section:—
Section 6. Zoning ordinances or by-laws may be adopted and from time to time be changed by amendment, addition or repeal, but only in the manner hereinafter provided. No zoning ordinance or by-law originally establishing the boundaries of the districts or the regulations and restrictions to be enforced therein, and no such ordinance or by-law changing the same as aforesaid, shall be adopted until after the planning board, if any, or, in a town having no such board, the board of selectmen, has held a public hearing thereon, first causing notice of the time and place of such hearing to be published in a newspaper of general circulation in the city or town once in each of two successive weeks, the first publication being not less than twenty-one days before the day of such hearing or if there is no such newspaper in such city or town then by posting such notice in a conspicuous place in the city or town hall for a period of not less than twenty-one days before the day of such hearing, and has submitted a final report with recommendations to the city council or town meeting, or until twenty days shall have elapsed after such hearing without the submission of such report; provided, that, in case of a proposed ordinance or by-law originally establishing the boundaries of the districts or the regulations and restrictions to be enforced therein, it shall be sufficient if a public hearing is held and a final report with recommendations is submitted by a zoning board appointed for the purpose by the city council or selectmen or twenty days elapse after such hearing without such report being submitted. In a city no such ordinance as proposed to be originally established or changed as aforesaid shall be adopted until after the city council or a committee designated or appointed for the purpose by it has held a public hearing thereon, at which all interested persons shall be given an opportunity to be heard. Notice of the time and place of such hearing before the city council or committee thereof shall be published in a newspaper of general circulation in the city once in each of two successive weeks, the first publication to be not less than twenty-one days before the day of the hearing or if there is no such newspaper in such city then by posting such notice in a conspicuous place in the city hall for a period of not less than twenty-one days before the day of such hearing. After such notice, hearings and report, or lapse of time without report, a city council or town meeting may adopt, reject, or amend and adopt any such proposed ordinance or by-law.

SECTION 2. Said chapter 40A is hereby further amended by striking out section 17, as appearing in section 2 of chapter 36S of the acts of 1954, and inserting in place thereof the following section:—
Section 17. The board of appeals shall fix a reasonable time for the hearing of any appeal or other matter referred to it or any petition for a variance, and shall cause the notice of the time and place of such hearing thereof to be published in a newspaper of general circulation in the city or town once in each of two successive weeks, the

first publication to be not less than twenty-one days before the day of the hearing or if there is no such newspaper in such city or town then by posting such notice in a conspicuous place in the city or town hall for a period of not less than twenty-one days before the day of such hearing, and also send notice by mail, postage prepaid, to the petitioner and to the owners of all property deemed by the board to be affected thereby, as they appear on the most recent local tax list, and to the planning board of such city or town. At the hearing any party whether entitled to notice thereof or not may appear in person or by agent or by attorney.

Approved May 19, 1959.

Chap. 318. AN ACT RELATIVE TO POSTING OF NOTICES OF COMPETITIVE PROMOTIONAL EXAMINATIONS.

Be it enacted, etc., as follows:

Section 8 of chapter 31 of the General Laws, as most recently amended by section 3 of chapter 703 of the acts of 1945, is hereby further amended by striking out the second paragraph and inserting in place thereof the following paragraph: —

The director shall also prepare notices of all competitive promotional examinations, and shall send copies of such notices to the appointing authority in the department in which the promotion is to be made, who shall cause such notices to be posted in conspicuous places in the department and division of a department for which the examination is to be held.

Approved May 19, 1959.

Chap. 319. AN ACT CLARIFYING INFORMATION ON LISTS TO BE FILED WITH THE DIVISION OF CIVIL SERVICE.

Be it enacted, etc., as follows:

The first paragraph of section 31 of chapter 31 of the General Laws, as appearing in section 1 of chapter 422 of the acts of 1939, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence: — Said report shall be in the form prescribed by the commission or the director, shall be made on oath, and shall contain the following information: first, the full name of person appointed or employed or rendering bill for services or labor; second, title of the office or position authorized by the division of civil service; third, his salary, wages or other compensation; and fourth, dates of employment; provided, that such appointing or employing officer or board shall not be required to file in any month more than one such report with the commission or the director and one with the auditor or auditing officer.

Approved May 19, 1959.

Chap. 320. AN ACT MAKING CERTAIN CORRECTIVE CHANGES IN THE NAMES OF CERTAIN CORRECTIONAL INSTITUTIONS AS APPEARING IN THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

SECTION 1. Section 4 of chapter 31 of the General Laws is hereby amended by striking out the fifth paragraph, as appearing in section

4 of chapter 701 of the acts of 1945, and inserting in place thereof the following paragraph:—

Instructors in the Massachusetts Correctional Institution, Walpole, the Massachusetts Correctional Institution, Concord, and the Massachusetts Correctional Institution, Norfolk, and all other employees in said institutions having prisoners under their charge; .

SECTION 2. Said section 4 of said chapter 31 is hereby further amended by striking out the ninth paragraph, as so appearing, and inserting in place thereof the following paragraph:—

All permanent employees of the Massachusetts Correctional Institution, Bridgewater, except those specifically exempted by law and qualified physicians and registered nurses; . *Approved May 19, 1959.*

Chap. 321. AN ACT AUTHORIZING THE USE OF AUTOMATION EQUIPMENT IN KEEPING SCHOOL REGISTERS OF DAILY ATTENDANCE.

Be it enacted, etc., as follows:

Section 8 of chapter 72 of the General Laws is hereby amended by adding at the end the following paragraph:— The use of automation equipment in keeping such registers may be used, with the approval of the department of education. *Approved May 19, 1959.*

Chap. 322. AN ACT INCREASING THE AMOUNT OF MONEY WHICH THE COUNTY COMMISSIONERS OF BARNSTABLE COUNTY MAY EXPEND IN ANY ONE YEAR FOR THE PURPOSE OF PROMOTING THE RECREATIONAL ADVANTAGES OF SAID COUNTY FROM FIFTY THOUSAND DOLLARS TO SEVENTY-FIVE THOUSAND DOLLARS.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Barnstable county may, for the purpose of advertising the recreational advantages of said county, expend such sums, not exceeding, in the aggregate, seventy-five thousand dollars in any one year, as may be appropriated therefor; provided, that such expenditures from money so appropriated shall not at any time be more than triple the sum which shall have been contributed by public subscription or by donation deposited with the county treasurer for the purpose aforesaid. Said commissioners shall expend such sums only for advertising in newspapers, magazines and the like, or for booklets, posters or other forms of advertising, or for information booths within the county, or for displays or booths maintained at fairs or expositions outside the county for the purpose of advertising such advantages. In carrying out the provisions of this act the commissioners may designate an agent or agents to act for them; provided, that all bills incurred shall be accompanied by proper vouchers and shall be paid by the county treasurer only on warrants approved by the county commissioners or a majority of them.

SECTION 2. The state secretary shall cause to be placed on the official ballot to be used in the towns in Barnstable county at the

biennial state election in the year nineteen hundred and sixty the following question: — "Shall an act passed by the General Court in the year nineteen hundred and fifty-nine, entitled 'An Act increasing the amount of money which the county commissioners of Barnstable county may expend in any one year for the purpose of promoting the recreational advantages of said county from fifty thousand dollars to seventy-five thousand dollars', be accepted?" If a majority of the votes cast in said county in answer to said question is in the affirmative, sections one and three of this act shall thereupon take full effect, but not otherwise.

SECTION 3. Chapter one hundred and seventy-five of the acts of nineteen hundred and fifty-four is hereby repealed.

Approved May 19, 1959.

Chap. 323. AN ACT AUTHORIZING THE CITY OF QUINCY TO ENTER INTO A CONTRACT WITH THE NEW YORK, NEW HAVEN AND HARTFORD RAILROAD COMPANY RELATIVE TO THE CONSTRUCTION OF A PEDESTRIAN UNDERPASS AT ST. ANN'S ROAD IN SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. The city of Quincy is hereby authorized to enter into a contract with the New York, New Haven and Hartford Railroad Company for the temporary construction work necessary for the support of the railroad tracks prior to the construction by said city of a pedestrian underpass at St. Ann's road in said city. Said contract may provide for the monthly advancement of funds to the railroad not to exceed six thousand dollars based on the estimated pay roll for such temporary work. Final payment shall be subject to the approval of the city engineer after verification of such pay roll records, and any excess payment shall be refunded to the city.

SECTION 2. This act shall take effect upon its acceptance during the current year by vote of the city council of said city, in accordance with the provisions of its charter, but not otherwise.

Approved May 19, 1959.

Chap. 324. AN ACT PROVIDING FOR THE DESIGNATION OF A PORTION OF ROUTE 28 AND A PORTION OF ROUTE 6A AS CRANBERRY HIGHWAY.

Be it enacted, etc., as follows:

SECTION 1. That portion of route 28 from Middleborough to Buzards Bay and that portion of route 6A beginning at the westerly end thereof at its junction with route 6 to Orleans are hereby designated as Cranberry Highway. The department of public works is hereby authorized and directed to erect along said highways suitable markers bearing said designation.

SECTION 2. This act shall take effect upon its passage.

Approved May 20, 1959.

Chap. 325. AN ACT AUTHORIZING THE TOWN OF WINCHENDON TO APPROPRIATE FUNDS FROM ITS STABILIZATION FUND FOR THE CONSTRUCTION OF A NEW JUNIOR-SENIOR HIGH SCHOOL.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provision of section five B of chapter forty of the General Laws, the town of Winchendon may, by a two-thirds vote, appropriate from its stabilization fund at a special town meeting to be held during the current year, the sum of thirty thousand dollars, said sum to be applied to the construction of a new junior-senior high school.

SECTION 2. This act shall take effect upon its passage.

Approved May 21, 1959.

Chap. 326. AN ACT RELATIVE TO THE SALARIES OF CERTAIN JUSTICES OF THE SUPERIOR COURT.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section four of chapter seven hundred and thirty-three of the acts of nineteen hundred and fifty-five, any justice of the superior court who was appointed to said office between the fourth day of October, nineteen hundred and fifty-eight and the effective date of this act, both dates inclusive, shall receive such salary as is provided by section twenty-seven of chapter two hundred and twelve of the General Laws, said salary to be effective as of the date of his appointment.

SECTION 2. This act shall take effect upon its passage.

Approved May 25, 1959.

Chap. 327. AN ACT RELATIVE TO THE ISSUING OF A CERTIFICATE OF INCORPORATION.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for a shorter form of certificate of incorporation to be issued to a corporation organized under the laws of the commonwealth, in order to expedite the issuance of such certificates, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Chapter 156 of the General Laws is hereby amended by striking out section 12, as amended by chapter 67 of the acts of 1932, and inserting in place thereof the following section:—*Section 12.* Upon the approval and filing as above provided of the articles of organization of a corporation organized under general laws, the state secretary shall issue a certificate of incorporation in the following form:—

THE COMMONWEALTH OF MASSACHUSETTS

Be it known that whereas (the names of the subscribers to the agreement of association) have associated themselves with the intention of

forming a corporation under the name of (the name of the corporation), and have complied with the provisions of the statutes of the commonwealth in such case made and provided, as appears from the articles of organization of said corporation, duly approved by the commissioner of corporations and taxation and recorded in this office: Now, therefore, I, (the name of the state secretary), Secretary of the Commonwealth of Massachusetts, do hereby certify that said (names of the subscribers to the agreement of association), their associates and successors are legally organized and established as, and are hereby made an existing corporation as of (the date of filing of the articles of organization), under the name of (the name of the corporation), with the powers, rights and privileges, and subject to the limitations, duties and restrictions, which by law appertain thereto.

Witness my official signature hereunto subscribed, and the great seal of the commonwealth of Massachusetts hereunto affixed this day of _____ in the year _____.

The state secretary shall sign the certificate of incorporation and cause the great seal of the commonwealth to be thereto affixed, and such certificate shall have the force and effect of a special charter. The existence of every corporation organized under general laws shall begin upon the filing of the articles of organization in the office of the state secretary. The state secretary shall make a record of the fact of said incorporation and shall create an index in alphabetical order. A certified statement of the fact of incorporation by the state secretary shall be conclusive evidence of such incorporation.

SECTION 2. This act shall take effect on July first, nineteen hundred and fifty-nine.

Approved May 25, 1959.

Chap. 328. AN ACT RELATIVE TO TRAINING FOR HANDICAPPED INDIVIDUALS.

Whereas, The deferred operation of this act would tend to defeat its purpose which is to provide forthwith for training for handicapped individuals who are found by the Massachusetts rehabilitation commission to require financial assistance with respect thereto, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public welfare.

Be it enacted, etc., as follows:

SECTION 1. The definition of "Vocational rehabilitation services" in section 77 of chapter 6 of the General Laws, as appearing in section 2 of chapter 602 of the acts of 1956, is hereby amended by striking out, in line 8, the word "training," and by adding at the end of said definition the following item:— 9. Training for handicapped individuals:.

SECTION 2. Section 78 of said chapter 6, as so appearing, is hereby amended by striking out, in line 11, the figure "8" and inserting in place thereof the figure:— 9.

Approved May 25, 1959.

Chap. 329. AN ACT AUTHORIZING CITIES AND TOWNS TO BORROW ON ACCOUNT OF PUBLIC WELFARE AND VETERANS' BENEFITS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which in part is to make immediately operative, in view of

the existing financial emergency in certain cities and towns, the provisions of this act authorizing cities and towns to borrow certain sums during the current year and the next succeeding year on account of expenses for public welfare and for aid to veterans, therefore this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Subject to the provisions of this act, any city or town, by a two-thirds vote as defined in section one of chapter forty-four of the General Laws, and with the approval of the mayor or selectmen and of the emergency finance board established under section one of chapter forty-nine of the acts of nineteen hundred and thirty-three, may borrow in each of the years nineteen hundred and fifty-nine and nineteen hundred and sixty, inside its limit of indebtedness as prescribed by section ten of said chapter forty-four, for use only for meeting appropriations made or to be made for public welfare, including in such term old age assistance, aid to dependent children, and disability assistance, and for veterans' benefits to an amount not more than one half of one per cent of the average of the assessors' valuation of its taxable property for the three preceding years, such valuation to be reduced and otherwise determined as provided in said section ten of said chapter forty-four, and may issue bonds or notes therefor, which shall bear on their face the words (name of city or town) Municipal Relief Loan, Act of 1959. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than five years from their dates, as said board shall fix, and, except as herein provided, shall be subject to said chapter forty-four, exclusive of the limitation contained in the first paragraph of section seven thereof.

Loans may be issued hereunder in the year nineteen hundred and fifty-nine or nineteen hundred and sixty, as the case may be, only by a city or town which in such year has appropriated to be raised by taxation, or appropriated from available funds for the purposes enumerated in the preceding paragraph, an amount not less than ninety per cent of the aggregate of its expenditures made in the year preceding the year of issue for old age assistance, aid to dependent children and disability assistance to be met otherwise than from the proceeds of federal grants, and of its expenditures made in said preceding year for veterans' benefits, together with an amount equal to not less than ninety per cent of its expenditures made in said preceding year for all public welfare purposes, all as determined by the board.

If a loan under authority of this act has been approved by said board during the year nineteen hundred and fifty-nine or nineteen hundred and sixty for a city or town, the amount of any appropriation voted by such city or town for said year for public welfare, including in such term old age assistance, aid to dependent children, disability assistance, and veterans' benefits, shall not be reduced during the said year by appropriation, transfer or otherwise, except with the written approval of the board. Whenever used in this act, the words "veterans' benefits" shall include the forms of aid to

veterans now or formerly known as state aid, military aid, soldiers' relief, and soldiers' burials, or any words or phrases connoting the same.

SECTION 2. The members of the board aforesaid, when acting under this act, shall receive from the commonwealth compensation as follows: Each appointive member, thirty-two dollars for each day's attendance at board meetings, provided that the total amount paid hereunder to such member as aforesaid shall not exceed three thousand dollars in any period of twelve months; each non-appointive member, thirty dollars for each day's attendance at board meetings, provided that the total amount paid hereunder to such member as aforesaid shall not exceed two thousand dollars in any period of twelve months.

SECTION 3. A loan order voted in any city under authority of this act shall be deemed to be an emergency order and as such may be passed in such manner as is provided for emergency orders or ordinances in its charter, and shall be in full force and effect immediately upon final favorable action thereon by its city council or chief executive, as the case may be, or upon expiration of any period specified by such charter for the approval or disapproval of such orders by its chief executive in any case where he fails to approve or disapprove such an order within such period, notwithstanding any provision of general or special law or ordinance to the contrary; provided, that in the city of Boston such loan orders may be passed in the manner provided in its charter for loan orders for temporary loans in anticipation of taxes.

SECTION 4. In any city a loan order under authority of this act may be passed by vote of two thirds of all the members of the city council, or of each branch thereof where there are two branches, notwithstanding any provision of law to the contrary.

Approved May 25, 1959.

Chap. 330. AN ACT MAKING APPROPRIATIONS FOR THE MAINTENANCE OF PLYMOUTH COUNTY, ITS DEPARTMENTS, BOARDS, COMMISSIONS AND INSTITUTIONS, OF SUNDRY OTHER SERVICES, FOR CERTAIN PERMANENT IMPROVEMENTS, FOR INTEREST AND DEBT REQUIREMENTS, AND TO MEET CERTAIN REQUIREMENTS OF LAW AND GRANTING A COUNTY TAX FOR SAID COUNTY.

Whereas, The deferred operation of this act would result in unnecessarily extending the period during which county expenditures would be made in anticipation of appropriation, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. To provide for the maintenance of Plymouth county, its departments, boards, commissions and institutions, of sundry other services, for certain permanent improvements, for interest and debt requirements, and to meet certain requirements of law, the following sums for the several purposes and subject to the conditions specified in section two are hereby appropriated, subject to the provisions of

law regulating the disbursement of county funds and the approval thereof for the year nineteen hundred and fifty-nine:—

PLYMOUTH COUNTY.

Item		
1.	For interest on county debt	\$7,521 55
2.	For reduction of county debt	126,863 50
3.	For county commissioners, salaries and expenses	23,342 50
4.	For transportation and expenses of county and acting commissioners	1,297 00
5.	For clerk of courts, salaries and expenses	55,139 88
6.	For county treasurer, salaries and expenses	21,699 50
7.	For sheriff, salary and expenses	9,335 00
8.	For registry of deeds, salaries and expenses	171,603 92
8a.	For registry of probate, salaries and expenses ..	16,952 75
9.	For law library, salaries and expenses	9,750 00
10.	For highways, including state highways, bridges and land damages	273,515 00
11.	For examination of dams	1,000 00
12.	For criminal costs in superior court	102,975 96
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees	118,007 00
14.	For district courts, salaries and expenses	244,270 59
15.	For medical examiners and commitments of insane	15,116 00
16.	For jail and house of correction, maintenance and operation	296,809 28
17.	For training school	11,000 00
18.	For court houses and registry buildings, maintenance and operation	93,524 79
20.	For agricultural school or county aid to agriculture, maintenance and operation	70,905 84
24.	For non-contributory pensions	16,447 10
25.	For contributory retirement system and supervisory expenses	41,819 45
26.	For miscellaneous and contingent expenses	2,638 97
27.	For unpaid bills of previous years	5,000 00
28.	For reserve fund	15,000 00
30.	For forest fire control	7,479 00
31.	For bureau of criminal investigation and police training school	24,708 50
39.	For group insurance	14,015 00
Total Amount of Appropriations		\$1,797,738 08
Less Estimated amount available for Reduction of County Tax		370,392 46

And the county commissioners of Plymouth County are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of \$1,427,345 62

SECTION 2. Sums appropriated in section one are based upon detailed schedules approved by the joint committee on counties, copies of which are deposited with the director of accounts.

Said director shall file with the county commissioners and the county treasurer of Plymouth county a certification of the amounts above appropriated as set forth in the approved schedules for said county. Except as provided by this act or except as otherwise provided by law, no liability may be incurred and no expenditure shall be made in excess of the amount available in an existing appropriation for a function, a main group, a class or a sub-class.

Transfers within an appropriation from a main group to another main group may be made upon written request of the authorized official of the organization unit with the written approval of said county commissioners, and copies of said request and approval shall be filed with the county treasurer; provided, however, that no transfer shall be made from the main groups "personal services" or "equipment" to another main group nor shall any transfer be made from any other main group into the main groups "personal services" or "equipment".

Transfers within an appropriation between classes and between sub-classes within a main group may be made by the authorized official of the organization unit whenever in his opinion public necessity and convenience so requires; provided, however, that no transfer shall be made within the classes of the main groups "personal services" or "equipment".

Amounts included for permanent positions in sums appropriated in section one for personal services are based upon schedules of permanent positions and salary rates as approved by the joint committee on counties, and, except as otherwise shown by the files of said committee, a copy of which shall be deposited with the county personnel board, no part of sums so appropriated in section one shall be available for payment of salaries of any additional permanent positions, or for payments on account of reallocations of permanent positions, or for payments on account of any change of salary range or compensation of any permanent positions, notwithstanding any special or general act to the contrary.

Moneys appropriated under this act for the purchase of equipment shall be expended for the purposes specified in the schedules as approved by the joint committee on counties and for no other purpose.

No direct drafts against the account known as the reserve fund shall be made, but transfers from this account to other accounts may be made to meet extraordinary or unforeseen expenditures upon the request of the county commissioners with the approval of the director of accounts.

SECTION 3. No expense incurred for mid-day meals by county officers and employees, other than those who receive as part of their compensation a non-cash allowance in the form of full or complete boarding and housing, and those county officers and employees who are stationed beyond commuting distance from their homes for a period of more than twenty-four hours, shall be allowed by any

county; provided, that officers or employees who have charge of juries or who have the care and custody of prisoners, insane persons or other persons placed in their charge by a court or under legal proceedings for transfer to or from court to an institution or from institution to institution and persons certified by a district attorney as engaged in investigation shall be reimbursed for the expense of mid-day meals when necessarily engaged on such duty; and provided, further, that county officers and employees in attendance at meetings and conferences called by or for any group or class on a statewide basis shall be so reimbursed.

No moneys appropriated under this act shall be expended by county officers or employees for telephone service furnished to such officers or employees at places other than regular county offices.

SECTION 4. The allowance to county officers and employees for expenses incurred by them in the operation of motor vehicles owned by them or by any member of their immediate families and used in the performance of their official duties shall not exceed eight cents a mile, except in cases where a higher allowance is specifically provided by statute; provided, that in the case of commitments of the insane the justice of the court ordering the commitment may order a higher rate. No expenditures shall be made for travel outside the commonwealth for attendance at conferences or conventions.

SECTION 5. Any provision of general or special law to the contrary notwithstanding, any county officer or employee whose salary rate on July first, nineteen hundred and fifty-seven, was limited to an increase in rate of one thousand dollars shall receive an increase in salary rate of not more than one step in his salary grade, effective on his anniversary date or on July first, nineteen hundred and fifty-nine, in accordance with approved list filed with the county personnel board by the joint committee on counties. *Approved May 25, 1959.*

Chap. 331. AN ACT MAKING APPROPRIATIONS FOR THE MAINTENANCE OF BARNSTABLE COUNTY, ITS DEPARTMENTS, BOARDS, COMMISSIONS AND INSTITUTIONS, OF SUNDRY OTHER SERVICES, FOR CERTAIN PERMANENT IMPROVEMENTS, FOR INTEREST AND DEBT REQUIREMENTS, AND TO MEET CERTAIN REQUIREMENTS OF LAW AND GRANTING A COUNTY TAX FOR SAID COUNTY.

Whereas, The deferred operation of this act would result in unnecessarily extending the period during which county expenditures would be made in anticipation of appropriation, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. To provide for the maintenance of Barnstable county, its departments, boards, commissions and institutions, of sundry other services, for certain permanent improvements, for interest and debt requirements, and to meet certain requirements of law, the following

sums for the several purposes and subject to the conditions specified in section two are hereby appropriated, subject to the provisions of law regulating the disbursement of county funds and the approval thereof for the year nineteen hundred and fifty-nine:—

BARNSTABLE COUNTY.

Item		
1.	For interest on county debt	\$15,757 85
2.	For reduction of county debt	77,525 00
3.	For county commissioners, salaries and expenses	17,518 50
4.	For transportation and expenses of county and acting commissioners	1,000 00
5.	For clerk of courts, salaries and expenses	19,576 80
6.	For county treasurer, salaries and expenses	23,331 88
7.	For sheriff, salary and expenses	9,436 50
8.	For registry of deeds, salaries and expenses	111,840 20
8a.	For registry of probate, salaries and expenses ...	9,064 00
9.	For law library, salaries and expenses	4,900 00
10.	For highways, including state highways, bridges and land damages	186,100 00
12.	For criminal costs in superior court	30,157 23
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees	25,761 00
14.	For district courts, salaries and expenses	104,311 69
15.	For medical examiners and commitments of insane	3,052 50
16.	For jail and house of correction, maintenance and operation	172,081 25
17.	For training school	500 00
18.	For court houses and registry buildings, maintenance and operation	39,235 30
20.	For agricultural school or county aid to agriculture, maintenance and operation	44,146 11
22.	For hospital or sanatorium	575,040 00
23.	For preventorium or health service	63,321 00
24.	For non-contributory pensions	15,384 90
25.	For contributory retirement system and supervisory expenses	21,211 74
26.	For miscellaneous and contingent expenses	12,719 45
27.	For unpaid bills of previous years	500 00
28.	For reserve fund	10,000 00
29.	For advertising recreational advantages of the county	50,000 00
30.	For state fire patrol	5,200 00
31.	For maintenance, forest fire apparatus	700 00
32.	For police training school and bureau of criminal identification	21,146 75
33.	For police radio system	32,243 85
36.	For beach commission	925 00
38.	For airplane	4,025 00

Item		
39. For group insurance		\$14,900 00
40. For advertising and promoting county fairs		500 00
		<hr/>
Total Amount of Appropriations		\$1,723,113 50
Less Estimated amount available for Reduction of		
County Tax		614,207 61
		<hr/>

And the county commissioners of Barnstable County are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of ... \$1,108,905 89

SECTION 2. Sums appropriated in section one are based upon detailed schedules approved by the joint committee on counties, copies of which are deposited with the director of accounts.

Said director shall file with the county commissioners and the county treasurer of Barnstable county a certification of the amounts above appropriated as set forth in the approved schedules for said county. Except as provided by this act or except as otherwise provided by law, no liability may be incurred and no expenditure shall be made in excess of the amount available in an existing appropriation for a function, a main group, a class or a sub-class.

Transfers within an appropriation from a main group to another main group may be made upon written request of the authorized official of the organization unit with the written approval of said county commissioners, and copies of said request and approval shall be filed with the county treasurer; provided, however, that no transfer shall be made from the main groups "personal services" or "equipment" to another main group nor shall any transfer be made from any other main group into the main groups "personal services" or "equipment".

Transfers within an appropriation between classes and between sub-classes within a main group may be made by the authorized official of the organization unit whenever in his opinion public necessity and convenience so requires; provided, however, that no transfer shall be made within the classes of the main groups "personal services" or "equipment".

Amounts included for permanent positions in sums appropriated in section one for personal services are based upon schedules of permanent positions and salary rates as approved by the joint committee on counties, and, except as otherwise shown by the files of said committee, a copy of which shall be deposited with the county personnel board, no part of sums so appropriated in section one shall be available for payment of salaries of any additional permanent positions, or for payments on account of reallocations of permanent positions, or for payments on account of any change of salary range or compensation of any permanent positions, notwithstanding any special or general act to the contrary.

Moneys appropriated under this act for the purchase of equipment shall be expended for the purposes specified in the schedules as approved by the joint committee on counties and for no other purpose.

No direct drafts against the account known as the reserve fund

shall be made, but transfers from this account to other accounts may be made to meet extraordinary or unforeseen expenditures upon the request of the county commissioners with the approval of the director of accounts.

SECTION 3. No expense incurred for mid-day meals by county officers and employees, other than those who receive as part of their compensation a non-cash allowance in the form of full or complete boarding and housing, and those county officers and employees who are stationed beyond commuting distance from their homes for a period of more than twenty-four hours, shall be allowed by any county; provided, that officers or employees who have charge of juries or who have the care and custody of prisoners, insane persons or other persons placed in their charge by a court or under legal proceedings for transfer to or from court to an institution or from institution to institution and persons certified by a district attorney as engaged in investigation shall be reimbursed for the expense of mid-day meals when necessarily engaged on such duty; and provided, further, that county officers and employees in attendance at meetings and conferences called by or for any group or class on a statewide basis shall be so reimbursed.

No moneys appropriated under this act shall be expended by county officers or employees for telephone service furnished to such officers or employees at places other than regular county offices.

SECTION 4. The allowance to county officers and employees for expenses incurred by them in the operation of motor vehicles owned by them or by any member of their immediate families and used in the performance of their official duties shall not exceed eight cents a mile, except in cases where a higher allowance is specifically provided by statute; provided, that in the case of commitments of the insane the justice of the court ordering the commitment may order a higher rate. No expenditures shall be made for travel outside the commonwealth for attendance at conferences or conventions.

SECTION 5. Any provision of general or special law to the contrary notwithstanding, any county officer or employee whose salary rate on July first, nineteen hundred and fifty-seven, was limited to an increase in rate of one thousand dollars shall receive an increase in salary rate of not more than one step in his salary grade, effective on his anniversary date or on July first, nineteen hundred and fifty-nine, in accordance with approved list filed with the county personnel board by the joint committee on counties. *Approved May 25, 1959.*

Chap. 332. AN ACT PROVIDING FOR REGISTRATION SESSIONS IN CERTAIN FACTORIES AND MILLS.

Be it enacted, etc., as follows:

Chapter 51 of the General Laws is hereby amended by inserting after section 42A the following section:—*Section 42B.* The registrars or election commissioners shall hold a registration session in any factory or mill within their city or town on or before the last day for registration for the biennial state primary or election if, in the case of said primary, not less than forty-eight days before said primary or,

in the case of said election, not less than forty-six days before said election but not earlier than the second day following the primary, ten or more voters of such city or town file a petition with said registrars or commissioners for the holding of a registration session in such factory or mill, signed by them with their names and addresses as they appear on the voting list of said city or town and stating that ten or more persons employed in said factory or mill desire and are entitled to be registered as voters in said city or town. Such registration session shall then be held if, at the time such petition is filed, the said registrars or commissioners are in receipt of permission in writing from the tenant or, if there is no tenant, from the owner of said factory or mill to use his premises for the purpose of holding said session.

Approved May 25, 1959.

Chap. 333. AN ACT INCREASING THE FEES FOR SPORTING, HUNTING, FISHING, AND TRAPPING LICENSES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 131 of the General Laws is hereby amended by striking out section 8, as most recently amended by section 1 of chapter 454 of the acts of 1952, and inserting in place thereof the following section:— *Section 8.* Sporting, hunting, fishing and trapping licenses shall be issued to the following classes of persons upon payment of fees as hereinafter provided:—

(1) A citizen of the United States, resident in this commonwealth for at least six consecutive months immediately prior to his application for such license, or a non-resident citizen coming within one of the two following classes:—

Class A. Owner of real estate in the commonwealth assessed for taxation at not less than one thousand dollars, or person commissioned or enlisted in the military or naval service of the United States and stationed within the commonwealth.

Class B. Member of any club or association incorporated for the purpose of hunting, fishing or trapping, or for any combination of such purposes; provided, that said corporation owns land in the commonwealth assessed for taxation in a total amount which is at least equal to one thousand dollars for each member, and that the membership list of the corporation shall be filed from time to time upon request, and at least annually, with the clerks of the several cities and towns within which such land, or any portion thereof, is located and with the director;

For which licenses the fees shall be as follows:—

For a sporting license, seven dollars and twenty-five cents;

For a hunting license, four dollars and twenty-five cents;

For a fishing license, four dollars and twenty-five cents, except that for such license issued to a minor fifteen to seventeen years of age, inclusive, the fee shall be two dollars and twenty-five cents; and to a female over eighteen, three dollars and twenty-five cents;

For a trapping license, seven dollars and seventy-five cents, except that for such license issued to a minor fifteen to seventeen years of age, inclusive, the fee shall be two dollars and twenty-five cents.

No fee shall be charged for any license issued under this clause to a person over the age of seventy or for a fishing license issued thereunder to a person seventy years of age or under who is a recipient of old age assistance granted under chapter one hundred and eighteen A, or to a person who is blind.

(2) A citizen of the United States, who does not come within the provisions of clause (1), for which licenses the fees shall be as follows:

For a hunting license, fifteen dollars and twenty-five cents;

For a fishing license, eight dollars and seventy-five cents;

For a fishing license covering all the inland waters and good for seven consecutive days specified on the license, four dollars and twenty-five cents. Said days may be so specified on the license and the duration of the license may be so limited, notwithstanding any provision of sections six and thirteen.

No person shall be granted a sporting, hunting or trapping license unless he files with the city or town clerk or the director, as the case may be, a written report upon blanks furnished by the director stating the number of birds or mammals, if any, taken by him within the commonwealth during the preceding year. The city or town clerk shall on the first Monday of each month forward such reports to the director. Nothing herein shall be deemed to prohibit the director, upon written order to city and town clerks, to suspend the requirement of any such written report, and section thirty-seven of chapter thirty shall apply to such order.

SECTION 2. This act shall take effect on January first, nineteen hundred and sixty.

Approved May 25, 1959.

Chap. 334. AN ACT AUTHORIZING THE SUBMISSION TO THE VOTERS OF THE CITY OF SPRINGFIELD OF THE QUESTION OF INCREASING THE SALARIES OF AND ESTABLISHING A MINIMUM ANNUAL SALARY FOR FIRE FIGHTERS, CERTAIN FIRE DEPARTMENT PERSONNEL AND CERTAIN MEMBERS OF THE POLICE DEPARTMENT OF SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. The officers and members of the fire department of the city of Springfield shall receive such annual salary as shall from time to time be fixed by the fire commissioner with the approval of the mayor; provided, however, that the chief of the department shall not receive as an annual salary less than eleven thousand two hundred and forty-nine dollars and twelve cents, nor a deputy fire chief less than eight thousand nine hundred and six dollars and fifty-six cents, nor a district fire chief less than seven thousand and twenty-two dollars and sixty cents, nor a fire captain less than six thousand one hundred and eighty-one dollars and seventy-six cents, nor a fire lieutenant less than five thousand six hundred and sixty-four dollars and eighty-eight cents, nor a fire captain drill master less than six thousand seven hundred and forty-one dollars and twenty-eight cents, nor an assistant fire alarm and police signal superintendent less than five thousand nine hundred and twenty-four dollars and eighty-eight cents, nor a superintendent of fire repairs less than six thousand seven hundred

and forty-one dollars and twenty-eight cents, nor a supervisor fire prevention inspector less than six thousand seven hundred and forty-one dollars and twenty-eight cents, nor a fire alarm and police signal superintendent and inspector of wires less than seven thousand four hundred and twenty-eight dollars and seventy-two cents, nor a fire prevention inspector, a fire alarm operator, a fire alarm and signal maintenance man, or a fire fighter after the second year of service less than five thousand two hundred dollars, or in the second year of service less than four thousand nine hundred and twenty-five dollars and forty-four cents, or in the first year of service less than four thousand six hundred and fifty dollars and eighty-eight cents, nor a motor equipment repairman less than two dollars and thirty cents per hour after the second year of service, or in the second year of service not less than two dollars and fifteen cents per hour, or in the first year of service not less than two dollars and three cents per hour.

SECTION 2. The officers and members of the police department of said city shall receive such annual salary as shall from time to time be fixed by the police commissioner, with the approval of the mayor; provided, however, that the chief of the department shall not receive as an annual salary less than eleven thousand two hundred and forty-nine dollars and twelve cents, nor a deputy chief less than eight thousand nine hundred and six dollars and fifty-six cents, nor a police captain less than seven thousand and twenty-two dollars and sixty cents, nor a police lieutenant less than six thousand one hundred and eighty-one dollars and seventy-six cents, nor a police radio engineer patrolman less than six thousand one hundred and eighty-one dollars and seventy-six cents, nor a police sergeant less than five thousand six hundred and sixty-four dollars and eighty-eight cents, nor a police matron less than four thousand and fifty-eight dollars and sixty cents after two years of service, or less than three thousand seven hundred and eighty-four dollars and four cents in the second year of service, or less than three thousand five hundred and four dollars and twenty-eight cents in the first year of service, nor a policewoman or patrolman less than five thousand two hundred dollars after the second year of service, or less than four thousand nine hundred and twenty-five dollars and forty-four cents in the second year of service, or less than four thousand six hundred and fifty dollars and eighty-eight cents in the first year of service.

SECTION 3. (a) If a petition is obtained, signed and filed, and signatures thereon certified, and a certificate transmitted to the city clerk, all as provided in this section, there shall be printed on the official ballot to be used in the city of Springfield at the municipal election in the current year the following question:—"Shall fire fighters, certain members of the fire department, police officers and certain members of the police department of the city of Springfield who now receive a yearly salary of \$3,856.40 to start, \$4,042.48 after one year's service, \$4,229.16 after two years' service, \$4,439.76 after three years' service and \$4,650.88 after four years' service, receive a minimum yearly salary of \$4,650.88 to start, \$4,925.44 after one year's service and \$5,200.00 after two years' service, with salary increases of at least \$549.12 for their uniformed superiors; and shall police matrons in

said police department who now receive a yearly salary of \$2,898.48 to start, \$3,039.40 after one year's service, \$3,177.20 after two years' service, \$3,342.04 after three years' service and \$3,504.28 after four years' service, receive a minimum yearly salary of \$3,504.28 to start, \$3,784.04 after one year's service and \$4,058.60 after two years' service; and shall motor equipment repairmen in said fire department who are now paid \$2.03 per hour, be paid \$2.03 per hour to start, \$2.15 per hour after one year's service and \$2.30 per hour after two years' service?

YES.	
NO.	

(b) A petition for the printing of such question as aforesaid shall be issued only if, after the effective date of this section, ten or more registered voters of the city appear together at the office of the board of election commissioners of the city, elsewhere in this act called the election commission, and in the presence of a justice of the peace subscribe, in a book kept for the purpose by the election commission, a request for the issuance of such petition in substantially the following form:—

THE COMMONWEALTH OF MASSACHUSETTS
CITY OF SPRINGFIELD

REQUEST FOR ISSUANCE OF PETITION FOR PRINTING OF QUESTION ON BALLOT.

Each of the undersigned hereby declares under the pains and penalties of perjury on this.....day of.....1959:

1. That he is a registered voter of the City of Springfield residing at the street and number, and in the ward, set against his name.

2. That he desires to have printed on the official ballot to be used in the City of Springfield at the municipal election to be held in the current year the following question:

(Here insert the question set forth in paragraph (a) of this section.)

3. And that he hereby requests the issuance of a petition for such printing of such question.

The undersigned do hereby appoint each of the following persons:—(here insert name and address of one or more persons) as their duly authorized agents to receive the petition hereby requested.

Signature of Petitioner	Residence on January 1, 1959	Ward	Precinct	Present Residence
Signed by the subscribers appearing together at the office of the Board of Election Commissioners of the City of Springfield on this.....day of.....1959, in the presence of				
				Justice of the Peace.

(c) If a request is subscribed as provided for by paragraph (b), the election commission shall check each name on such request and shall certify thereon the number of signatures so checked which are the names of registered voters of the city, and, if such request contains at least ten names certified pursuant to this paragraph, shall issue, not later than five o'clock in the afternoon of the tenth day after the subscription of such request, to any one of the persons specified in such request as the duly authorized agents of the persons subscribing such request, petition sheets containing spaces for signatures equal in number to one half of the number of persons registered to vote in the city at the municipal election next preceding the filing of such request. Each petition sheet shall be in substantially the following form:—

THE COMMONWEALTH OF MASSACHUSETTS
CITY OF SPRINGFIELD
PETITION FOR PRINTING OF CERTAIN QUESTION ON BALLOT
IN THE CITY OF SPRINGFIELD.

TO THE BOARD OF ELECTION COMMISSIONERS OF THE CITY OF SPRINGFIELD:
We, the undersigned, registered voters of the City of Springfield, hereby petition that there be printed on the official ballot to be used in the City of Springfield at the municipal election to be held in the current year, the following question:—
(Here insert the question set forth in paragraph (a) of this section.)

Signatures of Petitioners (To be signed in person with name as registered)	Residence January 1, 1959 (If registered after above date, residence when registered)	Ward	Precinct	Present Residence
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THE COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, SS. SPRINGFIELD, 19 .

The undersigned, being the circulator or circulators of this sheet, severally certify, under the pains and penalties of perjury, that the persons whose names are written upon the lines the numbers of which appear opposite our signatures below, signed the same in person.

NAMES AND ADDRESSES OF PERSONS CIRCULATING THIS SHEET	NUMBER OF LINES UPON WHICH APPEAR SIGNATURES AS TO WHICH CERTIFICATION IS MADE HEREBY
NAME	ADDRESS

(Add here or at some other convenient place on petition sheet the following)—
This petition sheet filed by

.....
Name of Filer
.....
Number, Street, City

Each petition sheet shall, before issuance, be prepared by the election commission by making the insertion required by the foregoing form. No petition sheet shall be valid unless prepared and issued by the election commission.

(d) A petition for the printing of said question as aforesaid shall be signed by registered voters of the city to a number equal to at least five per cent of the persons registered to vote in the city at the municipal election next preceeding the filing of the petition. Every voter signing such a petition shall sign in person, with his name as registered, and shall state his residence on January first preceeding, or his residence when registered if subsequent thereto, and the place where he is then living, with the street and number, if any; but any voter who is prevented by physical disability from writing may authorize some person to write his name and residence in his presence. The signature of any petitioner which is not certified by the circulator of the sheet as provided in the form set forth in paragraph (c) shall not be counted in determining the number of petitioners. If the name of any voter appears as petitioner on the same petition more than once, it shall be deemed to appear but once.

(e) The separate sheets of a petition for the printing of said question as aforesaid shall be filed all together with the election commissioner at or before five o'clock in the afternoon of July twenty-second in the current year. Every sheet of such petition shall be signed by

the person filing such petition who, if he is other than the person appointed to receive the petition upon the issuance thereof, shall add to his signature his place of residence, giving street and number, if any; and the election commission shall require satisfactory identification of such person. Such petition shall, when filed, be a matter of public record; but such petition shall not be open to public inspection until the signatures thereon have been certified.

(f) Upon the filing of a petition for the printing of said question as aforesaid the election commission shall check each name to be certified by it on such petition and shall certify thereon the number of signatures so checked which are the names of registered voters of the city; provided, however, that said commission shall not certify a greater number of names than required by paragraph (d) with one fifth of such number added thereto. Names not certified in the first instance shall not thereafter be certified on the same petition. A petition not containing names certified pursuant to this paragraph, to the number required by said paragraph (d), shall be invalid. The election commission shall complete the certification required by this paragraph at or before five o'clock in the afternoon of August nineteenth in the current year.

(g) A petition for the printing of said question as aforesaid which has been filed and is in apparent conformity with law shall be deemed to be valid unless written objection thereto is made by a registered voter of the city. Such objection shall be filed with the election commission at or before five o'clock in the afternoon of August twenty-sixth in the current year. Any general or special law to the contrary notwithstanding, objections filed with the election commission shall forthwith be transmitted by it to the Springfield ballot law commission, which shall forthwith consider such objections and not later than September ninth in the current year render its decision on such objections stating its finding as to the validity of the petition. In all matters relating to such objections, said commission shall have the powers and perform the duties prescribed by law for the state ballot law commission in matters under its jurisdiction; and the decision of said commission shall in like manner be final except that it shall be subject to judicial review under section fourteen of chapter thirty A of the General Laws. Certification pursuant to paragraph (f) shall not preclude a voter from filing objections to the validity of such petition.

(h) If such petition is either deemed or found to be valid under paragraph (g), the election commission shall transmit to the city clerk not later than five o'clock in the afternoon of September sixteenth in the current year a certificate of the filing of a petition in conformity with this section, of the certification of signatures of petitioners thereon to the number required by paragraph (d) and of the deeming or finding of such petition to be valid under paragraph (g).

SECTION 4. Section three of this act shall take effect upon its passage. Sections one and two of this act shall take effect on the first Wednesday of January, nineteen hundred and sixty, if the aforesaid question is printed on the official ballot to be used in the city of Springfield at the municipal election in the current year and a majority of votes cast in answer to such question at such election are in the affirmative.

Approved May 25, 1959.

Chap. 335. AN ACT REGULATING THE ISSUE OF CAPITAL STOCK BY THE EDGARTOWN WATER COMPANY.

Be it enacted, etc., as follows:

SECTION 1. Chapter 143 of the acts of 1906 is hereby amended by striking out section 7 and inserting in place thereof the following section:—*Section 7.* Said corporation may for the purposes set forth in this act, hold real estate not exceeding in amount fifty thousand dollars; and the capital stock of said corporation shall be one hundred thousand dollars, to be divided into shares having a par value of one hundred dollars each, and said capital stock may be increased or reduced in the manner provided by chapters one hundred and fifty-five and one hundred and sixty-five of the General Laws.

SECTION 2. Said chapter 143 is hereby further amended by striking out section 9 and inserting in place thereof the following section:—*Section 9.* Said corporation may issue bonds, coupons, notes and other evidences of indebtedness payable at periods of more than one year after the date thereof to an amount equal to its surplus plus an amount not exceeding its capital stock actually paid in at the time of such issue, in the manner and to the extent provided by chapters one hundred and sixty-four and one hundred and sixty-five of the General Laws, in so far as they are applicable to water companies.

SECTION 3. Said chapter 143 is hereby further amended by striking out section 10 and inserting in place thereof the following section:—*Section 10.* Capital stock hereinbefore authorized shall be issued only in such amounts as the department of public utilities may from time to time vote is reasonably necessary for the purpose for which such issue of stock has been authorized. Its decision approving such issue shall specify the respective amounts of stock authorized to be issued, and the purposes to which the proceeds thereof are to be applied. A certificate setting forth such decision shall be filed in the office of the secretary of the commonwealth before the certificate of the stock is issued, and the proceeds of such stock shall not be applied to any purpose not specified in such decision. *Approved May 25, 1959.*

Chap. 336. AN ACT MAKING AN APPROPRIATION TO INSURE RECEIPT BY THE COMMONWEALTH OF CERTAIN GRANTS MADE AVAILABLE BY THE NATIONAL DEFENSE EDUCATION ACT.

Be it enacted, etc., as follows:

SECTION 1. To provide for expenses in connection with the commonwealth's share of the program authorized by the National Defense Education Act, the sums set forth in section two of this act are hereby appropriated from the General Fund or ordinary revenue of the commonwealth, subject to the provisions of law regulating the disbursements of public funds and the approval thereof for the fiscal year nineteen hundred and fifty-nine.

SECTION 2.

Service of the Department of Education.

Item

1301-04 For matching, with the approval of the commission on administration and finance, certain federal funds authorized to be accepted and disbursed by chapter six hundred and sixty-four of the acts of nineteen hundred and fifty-eight and allocated to the commonwealth under the provisions of Public Law 85-864; provided, that the department may use for matching such federal funds other state appropriated funds or any public or private funds that may be available, in addition to the amount made available by this item, appropriation expires June thirtieth, nineteen hundred and sixty \$30,000

SECTION 3. This act shall take effect upon its passage.

Approved May 26, 1959.

Chap. 337. AN ACT MAKING AVAILABLE CERTAIN FUNDS FOR THE DIVISION OF UNIVERSITY EXTENSION IN THE DEPARTMENT OF EDUCATION.

Be it enacted, etc., as follows:

SECTION 1. Item 1313-01 of section two of chapter one hundred and seventy-one of the acts of the current year, is hereby amended by striking out, in line 5, the words "two hundred and twenty thousand" and inserting in place thereof the following:— two hundred and fifty thousand.

SECTION 2. This act shall take effect upon its passage.

Approved May 26, 1959.

Chap. 338. AN ACT MAKING APPROPRIATIONS FOR THE MAINTENANCE OF ESSEX COUNTY, ITS DEPARTMENTS, BOARDS, COMMISSIONS AND INSTITUTIONS, OF SUNDRY OTHER SERVICES, FOR CERTAIN PERMANENT IMPROVEMENTS, FOR INTEREST AND DEBT REQUIREMENTS, AND TO MEET CERTAIN REQUIREMENTS OF LAW AND GRANTING A COUNTY TAX FOR SAID COUNTY.

Whereas, The deferred operation of this act would result in unnecessarily extending the period during which county expenditures would be made in anticipation of appropriation, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. To provide for the maintenance of Essex county, its departments, boards, commissions and institutions, of sundry other services, for certain permanent improvements, for interest and debt requirements, and to meet certain requirements of law, the following sums for the several purposes and subject to the conditions specified in section two are hereby appropriated, subject to the provisions of law regulating the disbursement of county funds and the approval thereof for the year nineteen hundred and fifty-nine:—

ESSEX COUNTY.

Item

1.	For interest on county debt	\$25,599 51
2.	For reduction of county debt	123,000 00
3.	For county commissioners, salaries and expenses	35,654 50
4.	For transportation and expenses of county and acting commissioners	2,500 00
5.	For clerk of courts, salaries and expenses	123,865 11
6.	For county treasurer, salaries and expenses	39,850 96
7.	For sheriff, salary and expenses	9,990 00
8.	For registry of deeds, salaries and expenses	346,925 25
8a.	For registry of probate, salaries and expenses ..	18,185 84
9.	For law library, salaries and expenses	25,122 96
10.	For highways, including state highways, bridges and land damages	388,546 18
12.	For criminal costs in superior court	93,083 00
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees	222,500 00
14.	For district courts, salaries and expenses	550,276 80
15.	For medical examiners and commitments of insane	30,225 00
16.	For jail and house of correction, maintenance and operation	301,118 23
16a.	For industrial farm, maintenance and operation	157,964 50
17.	For training school	224,133 91
18.	For court houses and registry buildings, maintenance and operation	192,705 35
20.	For agricultural school or county aid to agriculture, maintenance and operation	631,692 13
24.	For non-contributory pensions	65,925 83
25.	For contributory retirement system and supervisory expenses	113,132 70
26.	For miscellaneous and contingent expenses	35,881 74
27.	For unpaid bills of previous years	2,020 18
28.	For reserve fund	20,000 00
29.	For advertising recreational and agricultural advantages of the county	10,000 00
30.	For fire patrol	5,500 00
31.	For forest development	1,700 00
39.	For group insurance	38,600 00
Total Amount of Appropriations		\$3,835,699 68
Less Estimated amount available for Reduction of County Tax		901,139 59

And the county commissioners of Essex County are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of \$2,934,560 09

SECTION 2. Sums appropriated in section one are based upon detailed schedules approved by the joint committee on counties, copies of which are deposited with the director of accounts.

Said director shall file with the county commissioners and the county treasurer of Essex county a certification of the amounts above appropriated as set forth in the approved schedules for said county. Except as provided by this act or except as otherwise provided by law, no liability may be incurred and no expenditure shall be made in excess of the amount available in an existing appropriation for a function, a main group, a class or a sub-class.

Transfers within an appropriation from a main group to another main group may be made upon written request of the authorized official of the organization unit with the written approval of said county commissioners, and copies of said request and approval shall be filed with the county treasurer; provided, however, that no transfer shall be made from the main groups "personal services" or "equipment" to another main group nor shall any transfer be made from any other main group into the main groups "personal services" or "equipment".

Transfers within an appropriation between classes and between sub-classes within a main group may be made by the authorized official of the organization unit whenever in his opinion public necessity and convenience so requires; provided, however, that no transfer shall be made within the classes of the main groups "personal services" or "equipment".

Amounts included for permanent positions in sums appropriated in section one for personal services are based upon schedules of permanent positions and salary rates as approved by the joint committee on counties, and, except as otherwise shown by the files of said committee, a copy of which shall be deposited with the county personnel board, no part of sums so appropriated in section one shall be available for payment of salaries of any additional permanent positions, or for payments on account of reallocations of permanent positions, or for payments on account of any change of salary range or compensation of any permanent positions, notwithstanding any special or general act to the contrary.

Moneys appropriated under this act for the purchase of equipment shall be expended for the purposes specified in the schedules as approved by the joint committee on counties and for no other purpose.

No direct drafts against the account known as the reserve fund shall be made, but transfers from this account to other accounts may be made to meet extraordinary or unforeseen expenditures upon the request of the county commissioners with the approval of the director of accounts.

SECTION 3. No expense incurred for mid-day meals by county officers and employees, other than those who receive as part of their compensation a non-cash allowance in the form of full or complete boarding and housing, and those county officers and employees who are stationed beyond commuting distance from their homes for a period of more than twenty-four hours, shall be allowed by any county; provided, that officers or employees who have charge of juries or who have the care and custody of prisoners, insane persons or other persons placed in their charge by a court or under legal proceedings for

transfer to or from court to an institution or from institution to institution and persons certified by a district attorney as engaged in investigation shall be reimbursed for the expense of mid-day meals when necessarily engaged on such duty; and provided, further, that county officers and employees in attendance at meetings and conferences called by or for any group or class on a statewide basis shall be so reimbursed.

No moneys appropriated under this act shall be expended by county officers or employees for telephone service furnished to such officers or employees at places other than regular county offices.

SECTION 4. The allowance to county officers and employees for expenses incurred by them in the operation of motor vehicles owned by them or by any member of their immediate families and used in the performance of their official duties shall not exceed eight cents a mile, except in cases where a higher allowance is specifically provided by statute; provided, that in the case of commitments of the insane the justice of the court ordering the commitment may order a higher rate. No expenditures shall be made for travel outside the commonwealth for attendance at conferences or conventions.

SECTION 5. Any provision of general or special law to the contrary notwithstanding, any county officer or employee whose salary rate on July first, nineteen hundred and fifty-seven, was limited to an increase in rate of one thousand dollars shall receive an increase in salary rate of not more than one step in his salary grade, effective on his anniversary date or on July first, nineteen hundred and fifty-nine, in accordance with approved list filed with the county personnel board by the joint committee on counties. *Approved May 26, 1959.*

Chap. 339. AN ACT AUTHORIZING THE CITY OF GLOUCESTER TO LEASE CERTAIN LAND OWNED BY IT AND KNOWN AS TEN POUND ISLAND.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law the city of Gloucester, acting by and through its city council, is hereby authorized to let or lease land owned by it and known as Ten Pound Island, as described in a deed of the United States of America, dated January thirty-first, nineteen hundred and fifty-eight, and recorded in the Essex County Registry of Deeds, Southern District, Book 4441, Page 560 subject to the terms and restrictions in said deed, for such period of time, not exceeding ninety-nine years as it shall determine, and upon such other terms, covenants and conditions and at such rent as it shall determine to any person, persons, firm, partnership, association or corporation as it desires.

SECTION 2. Such lease shall not be effective unless authorized by a majority vote of said city council. The city council may, by a like vote, authorize the city manager to execute such lease and affix the seal of said city thereto as the act and in the name and behalf of said city.

SECTION 3. This act shall take effect upon its passage.

Approved May 26, 1959.

Chap. 340. AN ACT DESIGNATING A CERTAIN HIGHWAY IN THE CITY OF FALL RIVER AS THE AMERICAN LEGION HIGHWAY.

Be it enacted, etc., as follows:

SECTION 1. The state highway in the city of Fall River running from an interchange north of Wilson road in a southwesterly direction crossing North Main street at Mt. Pleasant street and running along the east bank of the Taunton river to interstate route 95E, sometimes known as the western Fall River expressway, shall, upon its completion, be designated and known as the American Legion Highway. The department of public works is hereby authorized and directed to erect along said highway suitable markers bearing said designation.

SECTION 2. This act shall take effect upon its passage.

Approved May 26, 1959.

Chap. 341. AN ACT RELATIVE TO REPORTS RENDERED TO THE COMMISSIONER OF BANKS.

Be it enacted, etc., as follows:

Chapter 167 of the General Laws is hereby amended by striking out section 8, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:— *Section 8.* An officer of any bank who, for fifteen days after notice by the commissioner, fails to make any return, statement or report required by law or by the commissioner, or to amend such a return, statement or report if lawfully required by the commissioner, shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year, or both.

Approved May 26, 1959.

Chap. 342. AN ACT AUTHORIZING CO-OPERATIVE BANKS TO MAKE OR ACQUIRE LOANS GUARANTEED BY THE FEDERAL HOUSING ADMINISTRATOR.

Be it enacted, etc., as follows:

Chapter 170 of the General Laws is hereby amended by inserting after section 24 the following section:— *Section 24A.* Notwithstanding the limitations contained in sections twenty-three and twenty-four, and in addition to the authority granted by section fifty-one of chapter one hundred and sixty-seven, any such corporation having deposits of more than twenty-five million dollars may, subject to regulations established by the commissioner, make or acquire mortgage loans on real estate regardless of location, on which the notes have been endorsed for insurance by the Federal Housing Administrator; provided, that the aggregate balance of principal outstanding at any one time in loans made hereunder does not exceed ten per cent of the deposits of such corporation; and further provided, that no such loan shall exceed one half of one per cent of the deposits of such corporation.

Approved May 26, 1959.

Chap. 343. AN ACT RELATIVE TO THE REGISTRATION OF OPERATORS AS HAIRDRESSERS.

Be it enacted, etc., as follows:

Section 87W of chapter 112 of the General Laws is hereby amended by striking out the first paragraph, as amended by section 2 of chapter 540 of the acts of 1950, and inserting in place thereof the following paragraph:—Any registered operator who has had not less than one year's practical experience as such, and who makes application therefor, accompanied by a fee as provided in section eighty-seven CC, may be registered by the board as a hairdresser, and thereafter may practice hairdressing in a registered shop for compensation and may supervise operators, without additional payment for the period during which such person was originally registered as an operator, and thereafter upon payment annually of a hairdresser's renewal fee as provided in said section eighty-seven CC. In computing practical experience under this paragraph, time which an operator has worked as such under a temporary permit shall be included in computing such period; provided, however, that credit for such work shall not exceed three months.

Approved May 26, 1959.

Chap. 344. AN ACT INCREASING THE FEES FOR THE EXAMINATION AND REGISTRATION OF PHYSICIANS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 112 of the General Laws is hereby amended by striking out section 2, as most recently amended by chapter 329 of the acts of 1957, and inserting in place thereof the following section:—
Section 2. Applications for registration as qualified physicians, signed and sworn to by the applicants, shall be made upon blanks furnished by the board of registration in medicine, herein and in sections three to nine A, inclusive, called the board. Each applicant who shall furnish the board with satisfactory proof that he is twenty-one or over and of good moral character, that he possesses the educational qualifications required for graduation from a public high school, that he has completed two years of pre-medical collegiate work, including physics, chemistry and biology, in a college or university approved by a body constituted as provided in this section and herein referred to as the approving authority, that he has attended courses of instruction for four years of not less than thirty-two school weeks in each year, or courses which in the opinion of the board are equivalent thereto, in one or more legally chartered medical schools, and that he has received the degree of doctor of medicine, or its equivalent, from a legally chartered medical school having the power to confer degrees in medicine and approved by the approving authority, shall, upon payment of fifty dollars, be examined, and if found qualified by the board, be registered as a qualified physician and entitled to a certificate in testimony thereof, signed by the chairman and secretary. An applicant who has received from a medical school legally chartered in a sovereign state other than the United States or Canada a degree of doctor of medicine or bachelor of medicine or its equivalent, shall be required

to furnish to the board such documentary evidence as the board may require that his education is substantially the equivalent of that of graduates of medical schools in the United States and such other evidence as the board may require as to his qualifications to practice medicine, and shall be required to take an examination offered periodically by the National Board of Medical Examiners of the United States and if the National Board of Medical Examiners of the United States shall certify to the board that the applicant has successfully passed said examination, and if the board shall be satisfied as to his education and his qualifications, then the board shall, upon payment of fifty dollars by the applicant, admit him to the examination for licensure. Said body shall consist of the secretary of the board, the commissioner of public health, an osteopathic member of the board or, if there be none on the board, then a qualified osteopathic physician who shall be a graduate of a school approved by the American Osteopathic Association and by the approving authority, and a layman. If at any time there is no osteopathic member of the board the governor, with the advice and consent of the council, shall appoint to said approving authority an osteopathic physician qualified as aforesaid, who shall serve until such time as there is an osteopathic member of the board, but not in any event for more than three years. The layman member of the board shall be appointed by the governor, with the advice and consent of the council, for the term of three years. An applicant aggrieved by the refusal of the approving authority to approve a medical school under this section shall be entitled to have the reasonableness of such refusal reviewed by a justice of the superior court, whose decision shall be final. An applicant failing to pass an examination satisfactory to the board shall be entitled to two re-examinations within two years at a meeting of the board called for the examination of applicants upon payment of a further fee of twenty-five dollars for each re-examination; but two such re-examinations shall exhaust his privilege under his original application. The board, after due notice and hearing, may revoke any certificate issued by it to, and cancel the registration of, any physician convicted of a felony, or any physician who has been shown at any such hearing to have been guilty of the use of narcotic drugs in any way other than for therapeutic purposes, and may, at any time after the expiration of one year thereafter, reissue any certificate so revoked, and register anew any physician whose registration was so cancelled. The board, after due notice and hearing, may suspend, for a period not exceeding one year, any certificate issued by it to, and cancel the registration of, any physician who has been shown at such hearing to have been guilty of gross and confirmed use of alcohol in any of its forms while engaged in the practice of his profession; or of abuse of the authority granted in section two hundred and nine A of chapter ninety-four; or of publishing or causing to be published, or of distributing or causing to be distributed, any literature contrary to section twenty-nine of chapter two hundred and seventy-two; or of acting as principal or assistant in the carrying on of the practice of medicine by an unregistered person or by any person convicted of the illegal practice of medicine or by any physician whose registration has been cancelled, and whose certificate has been

revoked or suspended, by the board; or of aiding and abetting in any attempt to secure registration, either for himself or for another, by fraud; or, in connection with his practice, of defrauding or attempting to defraud any person. Except as otherwise provided herein, the board may, at any time, reissue any certificate so revoked and register anew any physician whose registration was cancelled.

The approving authority shall, upon the request of any college, university or medical school in this commonwealth, inspect said college, university or medical school and notify its trustees or other governing body in writing if said college, university or medical school is approved by the approving authority for the purposes of this section, or if not, what steps said college, university or medical school must take in order to gain the approval of the approving authority.

Any college, university or medical school desiring to be approved for the purposes of this section may file with the approving authority a written request for the approval of such college, university or medical school, and thereupon a public hearing shall be seasonably granted by the approving authority and a written decision made by it within twenty days after the termination of such hearing. The applicant for such approval shall be notified forthwith in writing of such decision and, if such college, university or medical school is not approved by the approving authority for the purposes of this section, it shall forthwith be notified in writing what steps it must take in order to gain the approval of the approving authority. A written decision of the approving authority refusing to approve any college, university or medical school shall not become effective until thirty days after written notice of such decision is given to the college, university or medical school seeking such approval. Every such college, university or medical school aggrieved by such refusal shall have the right to file a petition in the superior court for Suffolk county to revise or reverse the decision of the approving authority. Notice of the entry of such petition shall be given to the secretary of the board of registration in medicine and all proceedings connected therewith shall be according to rules regulating the trial of civil causes without juries. The court shall hear the case and finally determine whether or not such approval shall be granted or revised.

Upon the filing of such a petition within the aforesaid period of thirty days, then the said decision of the approving authority shall not become effective until a final decree affirming said decision is entered upon the aforesaid petition.

The approving authority may from time to time, but not oftener than once a year, inspect each college, university, or medical school approved under this section and if, in the opinion of said authority, such college, university, or medical school does not meet the requirements necessary for approval, it shall send written notification thereof to the trustees or other governing body of such college, university, or medical school specifying therein what steps it must take in order to prevent the withdrawal of such approval and a reasonable time within which it must take such steps. If such college, university, or medical school fails to take such steps within the time prescribed, said authority shall give written notice that it will withdraw its approval. A

college, university, or medical school objecting to the withdrawal of the approval granted to it may file with the approving authority, within twenty days after such written notice, its written objections thereto, and thereupon a public hearing shall be seasonably granted by the approving authority. As soon as may be, the approving authority shall give a copy of its decision to such college, university, or medical school. A written decision of the approving authority withdrawing its approval of a college, university or medical school shall not become effective until thirty days after a copy of such decision is given to the college, university, or medical school concerned. The provisions of this section applicable in the case of a refusal of the approving authority to approve originally a college, university, or medical school shall apply, so far as apt, in the case of a withdrawal by the approving authority of approval of a college, university, or medical school.

The board shall examine an applicant who is an alien only if he presents to it a certificate from the court in which he shall have filed his declaration of intention to become a citizen of the United States, or from the Immigration and Naturalization Service of the United States, showing that he has declared his intention to become such a citizen, or a copy of such declaration of intention, certified by the clerk of such court. In case the applicant is subsequently registered, unless he shall present to the board, within five years following the filing of the certificate or certified copy hereinbefore referred to, his completed naturalization papers showing that he is a citizen of the United States his certificate of registration shall be revoked and his registration cancelled. The foregoing provisions of this paragraph shall not apply to limited registration under section nine or section nine A or to any alien physician of distinguished merit and ability, duly licensed to practice his profession in any foreign country wherein the requirements for the issuance of such a license are not substantially lower than those of this commonwealth, while he is temporarily teaching in this commonwealth in a medical school approved by the approving authority.

The board may, without examination, grant certificates of registration as qualified physicians to such persons as shall furnish with their applications satisfactory proof that they have the qualifications required in the commonwealth to entitle them to be examined and have been licensed or registered upon a written examination in another state whose standards, in the opinion of the board, are equivalent to those in the commonwealth; provided, that no person shall be so registered without an examination if he has attempted unsuccessfully to secure registration in the commonwealth or if he is a graduate of a medical school not approved by the approving authority. The fee for such registration without examination shall be seventy-five dollars.

SECTION 2. Section 2A of said chapter 112, as most recently amended by section 2 of chapter 519 of the acts of 1954, is hereby further amended by striking out, in line 11, the word "fifty" and inserting in place thereof the word:—seventy-five.

SECTION 3. This act shall take effect on January first, nineteen hundred and sixty.

Approved May 26, 1959.

Chap. 345. AN ACT PROVIDING FOR THE MERGER AND UNION OF THE BETHANY BAPTIST CHURCH WITH THE STOUGHTON STREET BAPTIST CHURCH IN DORCHESTER, BOTH OF BOSTON, AND THE TRANSFER OF THE PROPERTY OF SAID BETHANY BAPTIST CHURCH TO THE STOUGHTON STREET BAPTIST CHURCH IN DORCHESTER.

Be it enacted, etc., as follows:

SECTION 1. The Bethany Baptist Church, of Boston, duly organized under the laws of the commonwealth, is hereby authorized to merge in and unite with the Stoughton Street Baptist Church in Dorchester, a corporation so organized and said Stoughton Street Baptist Church in Dorchester shall in all respects be a continuance of, and the lawful successor to, said Bethany Baptist Church, with all the privileges, powers and immunities to which other religious corporations in the commonwealth are entitled.

SECTION 2. Upon said merger and union, the treasurer of said Bethany Baptist Church is hereby authorized to execute and deliver all papers and documents that may be deemed necessary and proper for effecting the transfer of its property of every kind to said Stoughton Street Baptist Church in Dorchester.

SECTION 3. All bequests, devises, conveyances and gifts heretofore or hereafter made to said Bethany Baptist Church, however described, and all the powers and privileges thereof, shall vest in said Stoughton Street Baptist Church in Dorchester, and all trusts heretofore or hereafter vested in any of said corporations shall be preserved inviolate, and all powers relating to such trusts shall have full force and effect in said Stoughton Street Baptist Church in Dorchester, in so far as such authority and right may be granted by statute.

SECTION 4. Whatever right or authority is granted or conferred by this act is hereby declared to be limited to such authority or right as the general court may constitutionally grant or confer, without prejudice to any proceeding that may be instituted in any court of competent jurisdiction to effect the purposes of this act.

SECTION 5. The proceedings and votes of said Bethany Baptist Church and said Stoughton Street Baptist Church in Dorchester, relating to the merger and union of said churches, and acts and doings thereunder, are hereby ratified and confirmed, notwithstanding any informalities, errors or omissions.

SECTION 6. Upon acceptance of this act by a majority of the members of each of said corporations present and voting at meetings duly called for the purpose, certified copies of the respective votes of acceptance, sworn to by the respective clerks or recording officers of said corporations, shall be filed for record in the registry of deeds for the county of Suffolk and in the office of the state secretary, and, upon such filing said union and merger shall be complete, and thereupon the persons who are then members of said Bethany Baptist Church shall become members of said Stoughton Street Baptist Church in Dorchester.

Approved May 26, 1959.

Chap. 346. AN ACT AUTHORIZING THE CONVEYANCE BY THE COMMONWEALTH TO THE TOWN OF CHATHAM OF CERTAIN LAND IN SAID TOWN.

Be it enacted, etc., as follows:

The commissioner of public works, in the name of and on behalf of the commonwealth, is hereby authorized, subject to the approval of the governor and council, to convey to the town of Chatham for a nominal consideration the following parcels of land located in said town and owned by the commonwealth and under control of the department of public works, said parcels being bounded and described as follows:—

Parcel 1. Northerly, by the mean low water mark of land of Robert M. and Mary Louise Horne shown as part of Lot C on Land Court Plan 12208-U, lying westerly of Lot 84 on Land Court Plan 12208-I, by the mean low water mark land of the Town of Chatham shown as Lot 84 on Land Court Plan 12208-I, and by the mean low water mark of land of Robert M. and Mary Louise Horne shown as part of Lot C on Land Court Plan 12208-U, lying easterly of said Lot 84; Westerly, by the waters of Stage Harbor; Southerly, by land and flats of David M. and Anne Hall Davis, being that portion of the land on Land Court Plan 22613-D lying westerly of Lot 3 shown on said plan, by Lot 3 shown on said plan and being land of said David M. and Anne Hall Davis, and by the mean low water mark of land and flats of Edward R. Noyes shown as a portion of Lot 4 on said plan and lying easterly of said Lot 3; and Easterly, by the waters of Chatham Harbor, and being shown as a portion of Stage Harbor on said Plan 22613-D.

Parcel 2. Northerly, by Lot 3 shown on Land Court Plan 22613-C, and being land of David M. and Anne Hall Davis; Easterly, by the easterly line of said Lot 3 extended southerly to Lot 2 on said plan; Southerly, by Lot 2 shown on said plan, and being land of said David M. and Anne Hall Davis; and Westerly, by the westerly line of said Lot 2 extended northerly to said Lot 3.

Parcel 3. Westerly, by the easterly line of Lot 3 shown on Land Court Plan 22613-D extended southerly to Lot 2 shown on said plan; Northerly, Easterly and Southerly, by the low water mark of the creek leading easterly from Stage Harbor as shown on Land Court Plan 22613-A, at land of Edward R. Noyes shown as Lot 4 on Land Court Plan 22613-D.

Parcel 4. Easterly, by the westerly line of Lot 3 shown on Land Court Plan 22613-D extended southerly to Lot 2 shown on said plan; Southerly, by mean low water line of land of David M. and Anne Hall Davis shown on said plan; Westerly, by waters of Stage Harbor; and Northerly, by the mean low water line of said land of David M. and Anne Hall Davis shown on aforementioned plan.

Approved May 26, 1959.

Chap. 347. AN ACT AUTHORIZING THE TOWN OF NATICK TO ABATE AND REFUND CERTAIN PERSONAL PROPERTY TAXES TO THE CANARY SUPER MARKET, INC.

Be it enacted, etc., as follows:

The town of Natick is hereby authorized to abate certain personal property taxes for the year nineteen hundred and fifty-four in the sum of five hundred and twenty-five dollars and sixty cents and for the year nineteen hundred and fifty-five in the sum of seven hundred and forty-seven dollars and fifty cents and to refund said sums to Canary Super Market, Inc., as said sums were paid to the town in error, inasmuch as the taxes on said personal property were also paid by said corporation to the commonwealth as corporate excise taxes.

Approved May 26, 1959.

Chap. 348. AN ACT PROVIDING FOR THE ELECTION OF A FIRE CHIEF FOR THE DARTMOUTH FIRE DISTRICT NO. 3.

Be it enacted, etc., as follows:

SECTION 1. The prudential committee for The Dartmouth Fire District No. 3 shall, within thirty days of the effective date of this act, call a special election for the purpose of choosing a fire chief for said district, the office of fire chief in said district being vacant as a result of two candidates for election thereto having received the same number of votes at the regular election in the current year.

SECTION 2. If the voters of said district fail to choose a fire chief at the special election authorized by section one the prudential committee of said district shall choose a fire chief to serve until the next regular election from the candidates receiving the highest number of votes for said office at said special election.

SECTION 3. This act shall take effect upon its passage.

Approved May 27, 1959.

Chap. 349. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE THIRTIETH, NINETEEN HUNDRED AND FIFTY-NINE, TO PROVIDE FOR SUPPLEMENTING CERTAIN EXISTING APPROPRIATIONS.

Be it enacted, etc., as follows:

SECTION 1. To provide for supplementing certain appropriations previously made, the sums set forth in this act are hereby made available from the funds designated, to be in addition to any amounts otherwise available for the purpose, subject to the provisions of law regulating the disbursement of public funds and the approval thereof and the conditions pertaining to said appropriations in chapter four hundred and thirty-four of the acts of nineteen hundred and fifty-eight.

SECTION 2.

STATE PURPOSES APPROPRIATIONS.

APPROPRIATIONS MADE FROM THE GENERAL FUND.

Service of the Judiciary.

Pensions for Certain Retired Justices.

Item		
0345-01	For pensions of retired judges, as authorized by law	\$3,959.00

Service of the Treasurer and Receiver-General.

State Board of Retirement.

0604-03 Item 0604-03 of section two of chapter four hundred and thirty-four of the acts of nineteen hundred and fifty-eight is hereby amended by striking out the wording and inserting in place thereof the following: —

For the payment of the commonwealth's share in financing the state employees' retirement system, as provided by chapter thirty-two of the General Laws, prior appropriation continued; provided, that the comptroller shall transfer to the General Fund the sum of eight hundred and ninety-eight thousand dollars from the Highway Fund and the sum of twenty-five thousand dollars from the Inland Fisheries and Game Fund; and, provided further, that amounts of reimbursements received from the metropolitan district commission, in accordance with the provisions of section nine A of chapter twenty-nine of the General Laws and from the federal government on account of the retirement of employees of the division of employment security and the departments of public health, public welfare and education are to be in addition to this item and to be available for expenditure without further appropriation \$725,000.00

Non-Contributory Pensions.

2811-02 Item 2811-02 of section two of chapter four hundred and thirty-four of the acts of nineteen hundred and fifty-eight is hereby amended by striking out the wording and inserting in place thereof the following: —

For the compensation of veterans who may be retired by the governor under the provisions of sections fifty-six to fifty-nine, inclusive, of chapter thirty-two of the General Laws, and for the cost of medical examinations in connection therewith; provided, that the comptroller shall transfer to the General Fund the sum of five hundred and twenty-seven thousand dollars from the Highway Fund \$130,000.00

SECTION 3. This act shall take effect upon its passage.

Approved May 27, 1959.

Chap. 350. AN ACT INCREASING THE AMOUNT OF MONEY WHICH THE TREASURER OF THE COUNTY OF BRISTOL MAY BORROW FOR THE PURPOSE OF REPAIRING, ALTERING AND RENOVATING THE COURT HOUSE IN THE CITY OF TAUNTON AND FOR THE CONSTRUCTION OF AN ADDITION THERETO.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 388 of the acts of 1957, as amended by section 1 of chapter 505 of the acts of 1958, is hereby further amended by striking out, in lines 2 and 3, the words "one hundred

and ninety-five” and inserting in place thereof the words:—two hundred and forty,—so as to read as follows:—*Section 1.* The county commissioners of the county of Bristol are hereby authorized to expend a sum not exceeding two hundred and forty thousand dollars for the repair, alteration and renovation of the building presently housing the first district court of Bristol at Taunton and for the construction of an addition to said building. In making such repairs, alterations and renovations the present exterior design of said building, excepting the rear thereof, shall be retained.

SECTION 2. The first sentence of section 2 of said chapter 388, as amended by section 2 of said chapter 505, is hereby further amended by striking out, in line 4, the words “one hundred and ninety-five” and inserting in place thereof the words:—two hundred and forty,—so as to read as follows:—To provide funds for the repair, alteration, renovation and construction mentioned in section one of this act, the treasurer of the county of Bristol, with the approval of said county commissioners, may borrow a sum not exceeding two hundred and forty thousand dollars, and may issue bonds therefor, which shall bear on their face the words, Bristol County Court House Loan, Act of 1957.

SECTION 3. This act shall take effect upon its passage.

Approved June 1, 1959.

Chap. 351. AN ACT RELATIVE TO THE MEMBERSHIP OF THE BOARD OF REGISTRATION OF REAL ESTATE BROKERS AND SALESMEN AND POSTPONING THE DATE ON AND AFTER WHICH REAL ESTATE BROKERS AND SALESMEN ARE REQUIRED TO BE LICENSED.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, immediately to postpone the date on and after which real estate brokers and salesmen are required to be licensed and to extend the time for the issuance of such licenses, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

Be it enacted, etc., as follows:

SECTION 1. Chapter 13 of the General Laws is hereby amended by striking out section 54, inserted by section 1 of chapter 726 of the acts of 1957, and inserting in place thereof the following section:—*Section 54.* There shall be a board of registration of real estate brokers and salesmen, in this section and in sections fifty-five to fifty-seven, inclusive, called the board, to be appointed by the governor, with the advice and consent of the council, consisting of five members, citizens of the commonwealth, three of whom shall have been actively engaged in the real estate business as a full-time occupation for at least seven years prior to their appointment and who shall be licensed real estate brokers, and two of whom shall be representatives of the public. The governor shall designate the chairman. As the term of office of a member of the board expires, his successor shall be appointed by the governor, with like advice and consent, to serve for

five years. Each member shall be eligible for reappointment and shall serve until the qualification of his successor. The governor may also, with like advice and consent, fill any vacancy in the board for the unexpired portion of the term.

SECTION 2. Section 3 of chapter 726 of the acts of 1957 is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:— Notwithstanding the provisions of sections eighty-seven PP to eighty-seven DDD, inclusive, of chapter one hundred and twelve of the General Laws, inserted by section two of this act, any individual who files an application for a license as a real estate broker or salesman with the board of registration of real estate brokers and salesmen, hereinafter called the board, at any time prior to the first day of January, nineteen hundred and sixty, on a form furnished by the board, containing a written statement that he is engaged in the real estate business in the commonwealth on the date of said application, and furnishes evidence that he is and is found to be of good moral character, and complies with all requirements as to citizenship or intention to become a citizen, as provided in section eighty-seven TT of said chapter one hundred and twelve, and pays the appropriate license fee as provided in section eighty-seven ZZ of said chapter one hundred and twelve, and, if the application is for a broker's license, files the bond required by said section eighty-seven TT, shall, without examination or compliance with any other provision of said sections eighty-seven PP to eighty-seven DDD, inclusive, be granted and issued by the board, the license for which application is so made, and such license shall be effective January first, nineteen hundred and sixty, and shall expire on the anniversary of the licensee's date of birth next occurring more than twelve months after the date of issuance.

SECTION 3. Said chapter 726 of the acts of 1957 is hereby further amended by striking out sections 4 to 6, inclusive, and inserting in place thereof the following three sections:—*Section 4.* The five members originally appointed by the governor, with the advice and consent of the council, to the board of registration of real estate brokers and salesmen, established by section fifty-four of chapter thirteen of the General Laws, inserted by section one of this act, shall serve for terms of five years, four years, three years, two years and one year, respectively, as the governor may designate, and, notwithstanding the provisions of said section, any member so appointed, or a successor appointed before January first, nineteen hundred and sixty, to fill a vacancy of an original appointee, shall not be required to be a licensed real estate broker.

Section 5. The board of registration of real estate brokers and salesmen shall, upon qualification of its members, organize and proceed forthwith to grant and issue licenses to applicants who qualify under section three, and notwithstanding the provisions of section eighty-seven SS of chapter one hundred and twelve of the General Laws, inserted by section two of this act, that said board conduct at least four examinations in each calendar year, said board shall conduct, as soon as reasonably possible, such examination or examinations prescribed in said section eighty-seven SS, as may be necessary to determine, prior

to January first, nineteen hundred and sixty, the competence of other applicants for real estate broker's or salesman's licenses, and to determine their qualifications, pursuant to such provisions of sections eighty-seven PP to eighty-seven DDD, inclusive, of said chapter one hundred and twelve, as are applicable, and to provide for the granting and issuing of licenses to be effective January first, nineteen hundred and sixty, to applicants entitled thereto under said provisions. The provision of section eighty-seven TT of said chapter one hundred and twelve, that no license shall be issued unless the application has been on file with the board at least ten days, shall not apply to applications filed prior to January first, nineteen hundred and sixty.

Section 6. This act, excepting the provisions of sections eighty-seven RR, eighty-seven VV, eighty-seven AAA and eighty-seven CCC of chapter one hundred and twelve of the General Laws, inserted by section two of this act, shall take effect on December thirty-first, nineteen hundred and fifty-eight and said sections eighty-seven RR, eighty-seven VV, eighty-seven AAA and eighty-seven CCC shall take effect on January first, nineteen hundred and sixty; provided, that, notwithstanding any provision of this act, no person shall be required to be licensed in order to act as a real estate broker or salesman prior to January first, nineteen hundred and sixty.

Approved June 1, 1959.

Chap. 352. AN ACT RELATIVE TO EXPENDITURES FOR THE CARE, MAINTENANCE AND REPAIR OF TUBERCULOSIS HOSPITALS IN CERTAIN COUNTIES.

Whereas, The deferred operation of this act would result in unnecessarily extending the period during which expenditures by certain counties for tuberculosis hospital purposes would be made without express authorization therefor by the general court, therefore this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

The trustees of the Bristol county tuberculosis hospital and the county commissioners of the other counties hereinafter specified are hereby authorized to expend for the year nineteen hundred and fifty-nine the sums set forth in this act for the care, maintenance and repair of the county tuberculosis hospitals within their respective counties, and to assess the same in the manner set forth in section eighty-five of chapter one hundred and eleven of the General Laws.

The sums set forth are based upon detailed schedules approved by the joint committee on counties, copies of which are deposited with the director of accounts.

Said director shall file with said trustees and said county commissioners and with the county treasurer a certification of the amounts set forth in the approved schedules for such hospitals. Except as provided by this act or except as otherwise provided by law, no liability

may be incurred and no expenditure shall be made in excess of the amount available in an existing main group, a class or a sub-class.

Transfers from a main group to another main group may be made upon written request of said trustees or said county commissioners with the written approval of the director of accounts and copies of said request and approval shall be filed with the county treasurer; provided, however, that no transfer shall be made from the main groups "personal services" or "equipment" to another main group nor shall any transfer be made from any other main group into the main groups "personal services" or "equipment".

Transfers within an appropriation between classes and between sub-classes within a main group may be made by said trustees or said county commissioners whenever in their opinion public necessity and convenience so requires; provided, however, that no transfer shall be made within the classes of the main groups "personal services" or "equipment".

Amounts included for permanent positions in sums appropriated herein for personal services are based upon schedules of permanent positions and salary rates as approved by the joint committee on counties, and, except as otherwise shown by the files of said committee, a copy of which shall be deposited with the county personnel board, no part of sums so appropriated shall be available for payment of salaries of any additional permanent positions, or for payments on account of reallocations of permanent positions, or for payments on account of any change of salary range or compensation of any permanent positions, notwithstanding any special or general act to the contrary; except that an attendant who becomes a licensed practical nurse may be paid an increased salary rate on account of such promotion, subject to approval by the county personnel board.

Moneys appropriated under this act for the purchase of equipment shall be expended for the purposes specified in the schedules as approved by the joint committee on counties and for no other purpose.

No direct drafts against the account known as the reserve fund shall be made, but transfers from this account to other accounts may be made to meet extraordinary or unforeseen expenditures upon the request of said trustees and said county commissioners with the approval of the director of accounts.

No moneys appropriated under this act shall be expended by county officers or employees for telephone service furnished to such officers or employees at places other than regular county offices.

Any provision of general or special law to the contrary notwithstanding, any county officer or employee of a tuberculosis hospital whose salary rate on July first, nineteen hundred and fifty-seven, was limited to an increase in rate of one thousand dollars shall receive an increase in salary rate of not more than one step in his salary grade, effective on his anniversary date or on July first, nineteen hundred and fifty-nine, in accordance with approved list filed with the county personnel board by the joint committee on counties.

BRISTOL COUNTY.

Item		
1.	For personal services	\$251,249 70
2.	For contractual services	33,200 00
3.	For supplies and materials	95,050 00
4.	For current charges and obligations	26,741 53
5.	For equipment	10,525 00
7.	For land and nonstructural	200 00
8.	For debt and interest	7,000 00
10.	For unpaid bills of previous years	250 00
11.	For reserve fund	2,500 00
12.	For group insurance	3,500 00
For total expenditures		\$430,216 23

ESSEX COUNTY.

Item		
1.	For personal services	\$780,935 31
2.	For contractual services	53,785 00
3.	For supplies and materials	256,500 00
4.	For current charges and obligations	82,115 40
5.	For equipment	13,250 00
8.	For debt and interest	16,000 00
10.	For unpaid bills of previous years	3,054 00
11.	For reserve fund	10,000 00
12.	For group insurance	15,000 00
13.	For accident insurance	4,040 00
For total expenditures		\$1,234,679 71

MIDDLESEX COUNTY.

Item		
1.	For personal services	\$991,917 58
2.	For contractual services	79,770 00
3.	For supplies and materials	278,110 00
4.	For current charges and obligations	53,579 81
5.	For equipment	68,518 00
6.	For structures and improvements	190,364 00
8.	For debt and interest	25,000 00
10.	For unpaid bills of previous years	1,000 00
11.	For reserve fund	20,000 00
12.	For group insurance	16,000 00
For total expenditures		\$1,724,259 39

NORFOLK COUNTY.

Item	
1. For personal services	\$574,227 98
2. For contractual services	48,100 00
3. For supplies and materials	216,750 00
4. For current charges and obligations	32,431 40
5. For equipment	3,883 40
8. For debt and interest	10,000 00
11. For reserve fund	10,000 00
12. For group insurance	10,000 00
For total expenditures	\$905,392 78

PLYMOUTH COUNTY.

Item	
1. For personal services	\$448,282 89
2. For contractual services	40,563 00
3. For supplies and materials	161,200 00
4. For current charges and obligations	36,031 93
5. For equipment	9,013 40
7. For land and nonstructural	1,000 00
8. For debt and interest	11,000 00
11. For reserve fund	10,000 00
12. For group insurance	8,248 00
For total expenditures	\$725,339 22

WORCESTER COUNTY.

Item	
1. For personal services	\$597,404 91
2. For contractual services	59,532 00
3. For supplies and materials	190,200 00
4. For current charges and obligations	49,804 86
5. For equipment	12,503 00
8. For debt and interest	15,000 00
10. For unpaid bills of previous years	470 00
11. For reserve fund	5,000 00
12. For group insurance	11,000 00
For total expenditures	\$940,914 77

Approved June 1, 1959.

Chap. 353. AN ACT AUTHORIZING THE REVOCATION OF CERTAIN UN-EXERCISED LICENSES TO KEEP, STORE OR SELL CERTAIN EXPLOSIVES OR INFLAMMABLE MATERIALS.

Be it enacted, etc., as follows:

SECTION 1. Section 13 of chapter 148 of the General Laws is hereby amended by inserting after the fourth paragraph the following paragraph:—

Any license granted hereunder between July first, nineteen hundred and thirty-six and August seventeenth, nineteen hundred and fifty-one, both dates inclusive, not exercised for a period of at least three years, may be revoked by the local licensing authority after notice and hearing given to the owner or occupant of the land licensed.

SECTION 2. This act shall take effect on October first, nineteen hundred and sixty.

Approved June 1, 1959.

Chap. 354. AN ACT AUTHORIZING THE CITY OF CAMBRIDGE TO CONVEY A CERTAIN PORTION OF PARK LAND TO THE ROMAN CATHOLIC ARCHBISHOP OF BOSTON, A CORPORATION SOLE.

Be it enacted, etc., as follows:

SECTION 1. The city of Cambridge is hereby authorized to convey to the Roman Catholic Archbishop of Boston, a corporation sole, a certain portion of park land known as Winthrop Park, located at the corner of Mt. Auburn and Boylston streets in said city, being a strip of land ten feet eight inches in width and seventy feet and seven and a half inches in length, adjacent to the land of the Holy Cross Church, which strip is presently used as a public passageway from Mt. Auburn street to Winthrop street, for the purpose of constructing a second story for the Holy Cross Church extending from the main church over said above-described strip of land, reserving, however, the right to the public to use forever said strip as a public passageway between Mt. Auburn street and Winthrop street. Said city may, notwithstanding the provisions of section seven of chapter forty-five of the General Laws, authorize the erection of such supports in said Winthrop Park at the edge of the above-described strip as may be necessary to support the structure to be built over said strip.

SECTION 2. This act shall take effect upon its acceptance by the city council of said city, subject to the provisions of its charter, but not otherwise.

Approved June 1, 1959.

Chap. 355. AN ACT FURTHER REGULATING THE INSTALLATION, REPAIR AND MAINTENANCE OF ELECTRICAL WIRING AND ELECTRICAL FIXTURES USED FOR LIGHT, HEAT AND POWER PURPOSES.

Be it enacted, etc., as follows:

Section 3L of chapter 143 of the General Laws is hereby amended by striking out the last paragraph, added by chapter 403 of the acts of 1956, and inserting in place thereof the following paragraph:—

No person shall install for hire any electrical wiring or fixtures subject to this section without first or within five days after commencing

the work giving notice to the inspector of wires appointed pursuant to the provisions of section thirty-two of chapter one hundred and sixty-six. Any person failing to give such notice shall be punished by a fine not exceeding twenty dollars. This section shall be enforced by the inspector of wires within his jurisdiction and the state examiners of electricians.

Approved June 1, 1959.

Chap. 356. AN ACT DESIGNATING CERTAIN LAND IN THE TOWN OF HUNTINGTON AS THE CHARLES M. GARDNER STATE PARK.

Be it enacted, etc., as follows:

SECTION 1. Certain land in the town of Huntington owned by the commonwealth and under the control of the department of natural resources and situated between Route 112 and the Westfield river, comprising thirty acres, more or less, shall be known and designated as the Charles M. Gardner State Park. A suitable tablet or monument bearing such designation shall be erected thereon by said department.

SECTION 2. This act shall take effect upon its passage.

Approved June 1, 1959.

Chap. 357. AN ACT RELATIVE TO THE FEE FOR A CERTIFIED COPY OF BIRTH, MARRIAGE AND DEATH RECORDS IN THE OFFICE OF THE SECRETARY OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

Section 36 of chapter 262 of the General Laws, as amended by chapter 301 of the acts of 1952, is hereby further amended by inserting after the word "each", in line 5, the words:—, except that the fee for a certified copy of a birth, marriage or death record shall be one dollar, —so as to read as follows:— *Section 36.* The fee for copies of any official papers certified by the state secretary shall be seventy-five cents for the first page and sixty cents for each additional page. The fee for the state secretary's certificate on copies or otherwise shall be fifty cents each, except that the fee for a certified copy of a birth, marriage or death record shall be one dollar.

Approved June 1, 1959.

Chap. 358. AN ACT PROVIDING FOR A PROCLAMATION BY THE GOVERNOR RELATIVE TO SIGHT-SAVING MONTH.

Be it enacted, etc., as follows:

Chapter 6 of the General Laws is hereby amended by inserting after section 12V, inserted by chapter 110 of the acts of 1958, the following section:— *Section 12W.* The governor shall annually issue a proclamation calling for a proper observance of September as sight-saving month as a period of special attention to the importance of the conservation of the gift of sight, one of mankind's greatest treasures.

Approved June 1, 1959.

Chap. 359. AN ACT AUTHORIZING THE TOWN OF GREENFIELD TO APPROPRIATE MONEY FOR THE PAYMENT OF AND TO PAY CERTAIN UNPAID BILLS AND TO BORROW FOR SAID PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The town of Greenfield is hereby authorized to appropriate ninety thousand seven hundred forty-two dollars and forty-three cents by taxation or from available funds or by borrowing, and thereafter the town treasurer may pay certain unpaid bills incurred by said town for goods, materials and services furnished to said town in the construction of the new senior high school in the years nineteen hundred and fifty-five, nineteen hundred and fifty-six, nineteen hundred and fifty-seven and nineteen hundred and fifty-eight, as set forth in the list on file in the office of the director of accounts in the department of corporations and taxation, which bills are legally unenforceable against said town, by reason of their having been incurred in violation of the provisions of the General Laws, including having been incurred in excess of existing appropriations.

SECTION 2. For the purpose of meeting the appropriations authorized to be made under section one of this act, the town of Greenfield may borrow such sums as may be necessary not exceeding eighty-five thousand dollars for a period of not more than twenty years by the issue of bonds or notes which shall bear on their face the words, Greenfield New Senior High School Building Loan, Act of 1959. Said borrowing shall be outside the statutory limit and, except as otherwise provided in this act, shall be subject to provisions of chapter forty-four of the General Laws, exclusive of any limitations contained therein; provided, however, that in the year in which the loan is first authorized to be issued, the sum of five thousand seven hundred forty-two dollars and forty-three cents shall be raised by taxation or from available revenue funds.

SECTION 3. The senior high school building committee of said town may approve any bills the payment of which is authorized under the provisions of section one of this act, for the purpose of qualifying the town for reimbursement of a portion of the cost represented thereby, in accordance with the provisions of chapter six hundred and forty-five of the acts of nineteen hundred and forty-eight, as amended, and with the approval of the school building assistance commission of the commonwealth.

SECTION 4. No bill shall be approved by the accountant of said town for payment or paid by the treasurer thereof under authority of this act unless and until certificates have been signed and filed with said town accountant stating under the penalties of perjury that the goods, materials or services for which bills have been submitted were ordered by an official or an employee of said town, and that such goods and materials were delivered and actually received by said town or that such services were rendered to said town, or both.

SECTION 5. Any person who knowingly files a certificate required by section four which is false, and who thereby receives payment for goods, materials or services which were not received by or rendered to said town, shall be punished by imprisonment for not more than one year or by a fine of not more than three hundred dollars or both.

SECTION 6. No payment shall be made by the town treasurer of Greenfield of any bill authorized to be paid under the provisions of this act except upon further approval of the director of accounts of the bureau of accounts in the department of corporations and taxation. Said director, for said purpose, may investigate the accounts and financial transactions of any department, board, commission or officer of said town relating to the construction of said new senior high school.

SECTION 7. This act shall take effect upon its acceptance by a majority vote of the town meeting members at an annual or special town meeting called for the purpose. *Approved June 1, 1959.*

Chap. 360. AN ACT MAKING APPROPRIATIONS FOR THE MAINTENANCE OF BRISTOL COUNTY, ITS DEPARTMENTS, BOARDS, COMMISSIONS AND INSTITUTIONS, OF SUNDRY OTHER SERVICES, FOR CERTAIN PERMANENT IMPROVEMENTS, FOR INTEREST AND DEBT REQUIREMENTS, AND TO MEET CERTAIN REQUIREMENTS OF LAW AND GRANTING A COUNTY TAX FOR SAID COUNTY.

Whereas, The deferred operation of this act would result in unnecessarily extending the period during which county expenditures would be made in anticipation of appropriation, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. To provide for the maintenance of Bristol county, its departments, boards, commissions and institutions, of sundry other services, for certain permanent improvements, for interest and debt requirements, and to meet certain requirements of law, the following sums for the several purposes and subject to the conditions specified in section two are hereby appropriated, subject to the provisions of law regulating the disbursement of county funds and the approval thereof for the year nineteen hundred and fifty-nine:—

BRISTOL COUNTY.

Item	
1.	For interest on county debt \$25,752 50
2.	For reduction of county debt 70,000 00
3.	For county commissioners, salaries and expenses 14,767 00
4.	For transportation and expenses of county and acting commissioners 1,200 00
5.	For clerk of courts, salaries and expenses 82,067 50
6.	For county treasurer, salaries and expenses 37,684 00
7.	For sheriff, salary and expenses 9,862 50
8.	For registries of deeds, salaries and expenses ... 202,527 86
8a.	For registry of probate, salaries and expenses .. 15,388 00
9.	For law library, salaries and expenses 28,208 40
10.	For highways, including state highways, bridges and land damages 212,550 00
11.	For examination of dams 6,500 00
12.	For criminal costs in superior court 102,366 19

Item	
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees \$148,435 50
14.	For district courts, salaries and expenses 352,809 08
15.	For medical examiners and commitments of insane 26,475 00
16.	For jail and house of correction, maintenance and operation 229,379 00
17.	For training school 10,000 00
18.	For court houses and registry buildings, maintenance and operation 212,207 24
20.	For agricultural school or county aid to agriculture, maintenance and operation 348,913 06
24.	For non-contributory pensions 25,122 25
25.	For contributory retirement system and supervisory expenses 53,350 20
26.	For miscellaneous and contingent expenses 21,021 11
27.	For unpaid bills of previous years 3,000 00
28.	For reserve fund 10,000 00
30.	For forest fire patrol 5,500 00
32.	For police training school 500 00
39.	For group insurance 20,000 00
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Total Amount of Appropriation \$2,275,586 39	
Less Estimated amount available for Reduction of County Tax 546,734 87	
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And the county commissioners of Bristol County are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of \$1,728,851 52

SECTION 2. Sums appropriated in section one are based upon detailed schedules approved by the joint committee on counties, copies of which are deposited with the director of accounts.

Said director shall file with the county commissioners and the county treasurer of Bristol county a certification of the amounts above appropriated as set forth in the approved schedules for said county. Except as provided by this act or except as otherwise provided by law, no liability may be incurred and no expenditure shall be made in excess of the amount available in an existing appropriation for a function, a main group, a class or a sub-class.

Transfers within an appropriation from a main group to another main group may be made upon written request of the authorized official of the organization unit with the written approval of said county commissioners, and copies of said request and approval shall be filed with the county treasurer; provided, however, that no transfer shall be made from the main groups "personal services" or "equipment" to another main group nor shall any transfer be made from any other main group into the main groups "personal services" or "equipment".

Transfers within an appropriation between classes and between

sub-classes within a main group may be made by the authorized official of the organization unit whenever in his opinion public necessity and convenience so requires; provided, however, that no transfer shall be made within the classes of the main groups "personal services" or "equipment".

Amounts included for permanent positions in sums appropriated in section one for personal services are based upon schedules of permanent positions and salary rates as approved by the joint committee on counties, and, except as otherwise shown by the files of said committee, a copy of which shall be deposited with the county personnel board, no part of sums so appropriated in section one shall be available for payment of salaries of any additional permanent positions, or for payments on account of reallocations of permanent positions, or for payments on account of any change of salary range or compensation of any permanent positions, notwithstanding any special or general act to the contrary.

Moneys appropriated under this act for the purchase of equipment shall be expended for the purposes specified in the schedules as approved by the joint committee on counties and for no other purpose.

No direct drafts against the account known as the reserve fund shall be made, but transfers from this account to other accounts may be made to meet extraordinary or unforeseen expenditures upon the request of the county commissioners with the approval of the director of accounts.

SECTION 3. No expense incurred for mid-day meals by county officers and employees, other than those who receive as part of their compensation a non-cash allowance in the form of full or complete boarding and housing, and those county officers and employees who are stationed beyond commuting distance from their homes for a period of more than twenty-four hours, shall be allowed by any county; provided, that officers or employees who have charge of juries or who have the care and custody of prisoners, insane persons or other persons placed in their charge by a court or under legal proceedings for transfer to or from court to an institution or from institution to institution and persons certified by a district attorney as engaged in investigation shall be reimbursed for the expense of mid-day meals when necessarily engaged on such duty; and provided, further, that county officers and employees in attendance at meetings and conferences called by or for any group or class on a statewide basis shall be so reimbursed.

No moneys appropriated under this act shall be expended by county officers or employees for telephone service furnished to such officers or employees at places other than regular county offices.

SECTION 4. The allowance to county officers and employees for expenses incurred by them in the operation of motor vehicles owned by them or by any member of their immediate families and used in the performance of their official duties shall not exceed eight cents a mile, except in cases where a higher allowance is specifically provided by statute; provided, that in the case of commitments of the insane the justice of the court ordering the commitment may order a higher rate. No expenditures shall be made for travel outside the commonwealth for attendance at conferences or conventions.

SECTION 5. Any provision of general or special law to the contrary notwithstanding, any county officer or employee whose salary rate on July first, nineteen hundred and fifty-seven, was limited to an increase in rate of one thousand dollars shall receive an increase in salary rate of not more than one step in his salary grade, effective on his anniversary date or on July first, nineteen hundred and fifty-nine, in accordance with approved list filed with the county personnel board by the joint committee on counties. *Approved June 9, 1959.*

Chap. 361. AN ACT AUTHORIZING THE PAYMENT OF THE COMMONWEALTH'S SHARE OF FUNDS REQUIRED UNDER THE NATIONAL DEFENSE EDUCATION ACT TO CERTAIN EDUCATIONAL INSTITUTIONS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to facilitate and expedite the granting of assistance to individuals and making more adequate educational opportunities available to students, therefore it is hereby declared to be an emergency law, necessary for the preservation of the public convenience and welfare.

Be it enacted, etc., as follows:

There is hereby authorized to be paid from the treasury of the commonwealth to each educational institution under the control of the state department of education, to the University of Massachusetts and to the Lowell Technological Institute of Massachusetts such sum or sums, subject to availability of appropriations, as may be necessary to meet the commonwealth's share of funds required under the provisions of Title II of the National Defense Education Act of 1958 (Public Law 85-864). Said funds shall be received and administered by said institutions in accordance with said National Defense Education Act and the regulations prescribed thereunder.

Approved June 9, 1959.

Chap. 362. AN ACT VALIDATING THE ACTION OF THE TOWN OF SWANSEA RELATIVE TO THE PURCHASE OF LAND AND BUILDINGS FOR USE AS A FIRE STATION.

Be it enacted, etc., as follows:

SECTION 1. The action of the town of Swansea taken at the annual meeting held on March ninth, nineteen hundred and fifty-nine, in voting (1) to acquire by purchase or eminent domain the land with buildings thereon belonging to the North Swansea Protective Company, Inc. for the purpose of housing fire apparatus and equipment, which land is located on the northerly side of Grand Army of the Republic Highway and bounded as follows:—southerly by said highway one hundred (100) feet; westerly by land of B. Herbert Adams two hundred fourteen and 50/100 (214.50) feet; northerly by land now or formerly of Mary D. Mason eighty and 75/100 (80.75) feet; and easterly by land of Joseph Santos et ux, excepting from the above

described premises so much of the same as may have been taken by the commonwealth for highway purposes and (2) that an appropriation be made in the amount of fifteen thousand five hundred dollars to be raised as follows: twenty-five hundred dollars to be transferred from unappropriated available funds in the treasury and a sum not in excess of thirteen thousand to be borrowed from time to time by the treasurer of said town, with the approval of the board of selectmen bonds and notes of the town therefor to be payable in not more than five years, and all acts done in pursuance thereof, are hereby confirmed and made valid, notwithstanding any provision of section seven of chapter forty-four of the General Laws to the contrary.

SECTION 2. This act shall take effect upon its passage.

Approved June 9, 1959.

Chap. 363. AN ACT MAKING APPROPRIATIONS FOR THE MAINTENANCE OF HAMPDEN COUNTY, ITS DEPARTMENTS, BOARDS, COMMISSIONS AND INSTITUTIONS, OF SUNDRY OTHER SERVICES, FOR CERTAIN PERMANENT IMPROVEMENTS, FOR INTEREST AND DEBT REQUIREMENTS, AND TO MEET CERTAIN REQUIREMENTS OF LAW AND GRANTING A COUNTY TAX FOR SAID COUNTY.

Whereas, The deferred operation of this act would result in unnecessarily extending the period during which county expenditures would be made in anticipation of appropriation, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. To provide for the maintenance of Hampden county, its departments, boards, commissions and institutions, of sundry other services, for certain permanent improvements, for interest and debt requirements, and to meet certain requirements of law, the following sums for the several purposes and subject to the conditions specified in section two are hereby appropriated, subject to the provisions of law regulating the disbursement of county funds and the approval thereof for the year nineteen hundred and fifty-nine:—

HAMPDEN COUNTY.

Item		
1.	For interest on county debt	\$11,500 00
2.	For reduction of county debt	56,000 00
3.	For county commissioners, salaries and expenses	24,282 50
4.	For transportation and expenses of county and acting commissioners	600 00
5.	For clerk of courts, salaries and expenses	73,684 51
6.	For county treasurer, salaries and expenses	24,845 35
7.	For sheriff, salary and expenses	10,000 00
8.	For registry of deeds, salaries and expenses	173,443 74
8a.	For registry of probate, salaries and expenses ...	33,554 34
9.	For law library, salaries and expenses	23,578 50
10.	For highways, including state highways, bridges and land damages	222,275 00

Item		
11.	For examinations of dams	\$4,200 00
12.	For criminal costs in superior court	61,714 00
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees	203,679 84
14.	For district courts, salaries and expenses	453,544 11
15.	For medical examiners and commitments of in- sane	25,000 00
16.	For jail and house of correction, maintenance and operation	252,641 94
17.	For training school	105,615 79
18.	For court houses and registry buildings, main- tenance and operation	124,644 86
20.	For agricultural school or county aid to agricul- ture, maintenance and operation	109,191 09
21.	For state reservation, maintenance and operation, Mount Tom	36,174 70
23.	For preventorium or health service	3,000 00
24.	For non-contributory pensions	23,621 41
25.	For contributory retirement system and supervi- sory expenses	56,447 46
26.	For miscellaneous and contingent expenses	10,805 72
27.	For unpaid bills of previous years	700 00
28.	For reserve fund	15,000 00
29.	For advertising recreational, industrial and agri- cultural advantages of the county	4,600 00
30.	For radio system for fire protection	7,000 00
39.	For group insurance	19,000 00
Total Amount of Appropriations		\$2,170,344 86
Less Estimated amount available for Reduction of County Tax		424,579 43

And the county commissioners of Hampden
County are hereby authorized to levy as the
county tax of said county for the current year,
in the manner provided by law, the sum of ... \$1,745,765 43

SECTION 2. Sums appropriated in section one are based upon de-
tailed schedules approved by the joint committee on counties, copies
of which are deposited with the director of accounts.

Said director shall file with the county commissioners and the
county treasurer of Hampden county a certification of the amounts
above appropriated as set forth in the approved schedules for said
county. Except as provided by this act or except as otherwise pro-
vided by law, no liability may be incurred and no expenditure shall be
made in excess of the amount available in an existing appropriation
for a function, a main group, a class or a sub-class.

Transfers within an appropriation from a main group to another
main group may be made upon written request of the authorized of-
ficial of the organization unit with the written approval of said county

commissioners, and copies of said request and approval shall be filed with the county treasurer; provided, however, that no transfer shall be made from the main groups "personal services" or "equipment" to another main group nor shall any transfer be made from any other main group into the main groups "personal services" or "equipment".

Transfers within an appropriation between classes and between sub-classes within a main group may be made by the authorized official of the organization unit whenever in his opinion public necessity and convenience so requires; provided, however, that no transfer shall be made within the classes of the main groups "personal services" or "equipment".

Amounts included for permanent positions in sums appropriated in section one for personal services are based upon schedules of permanent positions and salary rates as approved by the joint committee on counties, and, except as otherwise shown by the files of said committee, a copy of which shall be deposited with the county personnel board, no part of sums so appropriated in section one shall be available for payment of salaries of any additional permanent positions, or for payments on account of reallocations of permanent positions, or for payments on account of any change of salary range or compensation of any permanent positions, notwithstanding any special or general act to the contrary.

Moneys appropriated under this act for the purchase of equipment shall be expended for the purposes specified in the schedules as approved by the joint committee on counties and for no other purpose.

No direct drafts against the account known as the reserve fund shall be made, but transfers from this account to other accounts may be made to meet extraordinary or unforeseen expenditures upon the request of the county commissioners with the approval of the director of accounts.

SECTION 3. No expense incurred for mid-day meals by county officers and employees, other than those who receive as part of their compensation a non-cash allowance in the form of full or complete boarding and housing, and those county officers and employees who are stationed beyond commuting distance from their homes for a period of more than twenty-four hours, shall be allowed by any county; provided, that officers or employees who have charge of juries or who have the care and custody of prisoners, insane persons or other persons placed in their charge by a court or under legal proceedings for transfer to or from court to an institution or from institution to institution and persons certified by a district attorney as engaged in investigation shall be reimbursed for the expense of mid-day meals when necessarily engaged on such duty; and provided, further, that county officers and employees in attendance at meetings and conferences called by or for any group or class on a statewide basis shall be so reimbursed.

No moneys appropriated under this act shall be expended by county officers or employees for telephone service furnished to such officers or employees at places other than regular county offices.

SECTION 4. The allowance to county officers and employees for expenses incurred by them in the operation of motor vehicles owned by them or by any member of their immediate families and used in

the performance of their official duties shall not exceed eight cents a mile, except in cases where a higher allowance is specifically provided by statute; provided, that in the case of commitments of the insane the justice of the court ordering the commitment may order a higher rate. No expenditures shall be made for travel outside the commonwealth for attendance at conferences or conventions.

SECTION 5. Any provision of general or special law to the contrary notwithstanding, any county officer or employee whose salary rate on July first, nineteen hundred and fifty-seven, was limited to an increase in rate of one thousand dollars shall receive an increase in salary rate of not more than one step in his salary grade, effective on his anniversary date or on July first, nineteen hundred and fifty-nine, in accordance with approved list filed with the county personnel board by the joint committee on counties.

Approved June 9, 1959.

Chap. 364. AN ACT DESIGNATING A CERTAIN PEDESTRIAN UNDERPASS IN THE CITY OF BOSTON AS THE VETERANS OF FOREIGN WARS, POST 144, UNDERPASS.

Be it enacted, etc., as follows:

SECTION 1. The pedestrian underpass running from the northerly side of Blackstone street opposite Hanover street in the city of Boston and under the John F. Fitzgerald Expressway to the southerly side of Cross street shall be known and designated as the Veterans of Foreign Wars, Post 144, Underpass, and suitable markers bearing said designation shall be erected and maintained thereon by the state department of public works.

SECTION 2. This act shall take effect upon its passage.

Approved June 9, 1959.

Chap. 365. AN ACT AUTHORIZING THE TOWN OF WEBSTER TO USE CERTAIN PARK LAND FOR SCHOOL PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The town of Webster acting through its park commissioners may transfer to the school building committee of said town for the erection thereon of a public school building, and for all purposes incidental thereto including general school purposes, the care, custody, management and control of a certain parcel of park land located at the junction of Park avenue and Ray street in said town, being a portion of Memorial Park, and bounded and described as follows:—Beginning at the intersection of the southwesterly line of Park avenue and the northerly line of Ray street; thence westerly eight hundred and forty feet by the northerly line of said Ray street; thence northerly at right angles to said Ray street, a distance of seven hundred sixteen and fifty-six hundredths feet to a stake at land of Michael Grigerek et ux; thence easterly at right angles to the last mentioned course, a distance of three hundred ninety-seven and forty-five hundredths feet by land of said Grigerek and others to an iron pipe in

the southwesterly line of said Park avenue; thence southeasterly, with an interior angle of one hundred twenty-one degrees and forty-two minutes, a distance of eight hundred forty-two and twenty-one hundredths feet by the southwesterly line of said Park avenue to the point of beginning, and containing ten acres, more or less. Being a portion of the premises conveyed to the town of Webster by S. Slater and Sons Incorporated by a deed dated April 21, 1923 and recorded with the Worcester District Registry of Deeds, Book 2296, Page 138.

SECTION 2. This act shall take effect upon its passage.

Approved June 9, 1959.

Chap. 366. AN ACT VALIDATING THE ACTS AND PROCEEDINGS AT THE ADJOURNED SESSIONS OF THE ANNUAL TOWN MEETING OF THE TOWN OF WALPOLE IN THE YEAR NINETEEN HUNDRED AND FIFTY-NINE.

Be it enacted, etc., as follows:

SECTION 1. The acts and proceedings of the town of Walpole at the adjourned sessions of the annual town meeting, held on March second, twenty-third and thirtieth in the current year, and all acts done in pursuance thereof, are hereby confirmed and declared valid, notwithstanding the failure to give notice of the adjournments as required by law or the by-laws of said town, to the same extent as if the said adjourned sessions had been called, held, conducted and adjourned in strict compliance with the law and said by-laws.

SECTION 2. This act shall take effect upon its passage.

Approved June 9, 1959.

Chap. 367. AN ACT PROVIDING THAT A FIRE FIGHTER IN CERTAIN CITIES AND TOWNS SHALL NOT BE REQUIRED TO PERFORM THE DUTIES OF A POLICE OFFICER.

Be it enacted, etc., as follows:

Chapter 48 of the General Laws is hereby amended by adding at the end the following section:—*Section 88.* No city or town having a population of forty thousand persons or more shall require a permanent member of its fire department to perform the duties of a police officer during his tour of duty.

Approved June 9, 1959.

Chap. 368. AN ACT CHANGING THE DATE OF THE OBSERVANCE OF STUDENT GOVERNMENT DAY.

Be it enacted, etc., as follows:

Section 12M of chapter 6 of the General Laws, as amended by chapter 650 of the acts of 1951, is hereby further amended by striking out, in line 2 and in line 29, the words "second Friday of March" and inserting in place thereof, in each instance, the words:—first Friday of April.

Approved June 9, 1959.

Chap. 369. AN ACT AMENDING THE SPECIAL CAPITAL OUTLAY PROGRAM OF NINETEEN HUNDRED AND FIFTY-EIGHT TO PROVIDE FOR A CERTAIN REFUND TO THE TOWN OF BARNSTABLE.

Be it enacted, etc., as follows:

Item 8259-94 of section 2 of chapter 650 of the acts of 1958 is hereby amended by adding at the end thereof the following words:— ; and provided, further, that if any unexpended balance of amounts paid to the federal government under this item is refunded to the commonwealth, twenty-five per cent of such refund shall be repaid by the commonwealth to the town of Barnstable. *Approved June 9, 1959.*

Chap. 370. AN ACT INCREASING PENSIONS PAYABLE UNDER THE PERMANENT SCHOOL PENSION FUND IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Chapter 468 of the acts of 1951 is hereby amended by striking out sections 6 and 7, as amended by section 1 of chapter 594 of the acts of 1955, and inserting in place thereof the following two sections:—*Section 6.* The pension payable to any member retired under section five of this act shall be as follows:—If the member shall have been retired after service for a period aggregating thirty years or more, ten of which shall have been in the employ of the school committee, such member shall receive an annual pension of two thousand dollars. If the member shall have been retired after service for a period aggregating less than thirty years, ten of which shall have been in the employ of the school committee, such member shall receive an annual pension which bears the same ratio to two thousand dollars as the total number of years of service of such member bears to thirty; provided, that the annual pension of such member shall be not less than twelve hundred dollars.

Section 7. The amount of the pension of every person retired before the effective date of this act under chapter five hundred and eighty-nine of the acts of nineteen hundred and eight, as from time to time amended, and the amount of the pension of every person retired under this act prior to September first, nineteen hundred and fifty-nine, shall be re-established in accordance with the provisions of this act, to date from said September first; and the amount of the pension of every person granted before the effective date of this act a pension under section four of chapter six hundred and seventeen of the acts of nineteen hundred and ten, as amended, shall be re-established at the minimum amount payable under the last sentence of section six of this act, to date from said September first. Nothing in this act as amended shall be construed to decrease the amount of any pension being paid to any person.

SECTION 2. Nothing in this act shall be construed to diminish the reimbursements provided for by section two of chapter six hundred and seventy-four of the acts of nineteen hundred and forty-seven and paragraph (c) of subdivision (2) of section twenty of chapter thirty-two of the General Laws.

SECTION 3. This act shall take effect on September first in the current year; provided, that prior to said date it has been accepted by vote of the city council of the city of Boston, subject to the provisions of its charter, but not otherwise. *Approved June 9, 1959.*

Chap. 371. AN ACT EXTENDING THE TIME WITHIN WHICH APPLICATIONS FOR THE ABATEMENT OF EXCISE TAXES ON MOTOR VEHICLES MAY BE FILED.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to afford forthwith an extension of time within which applications for abatement of excise taxes on motor vehicles may be filed, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 2 of chapter 60A of the General Laws is hereby amended by striking out the ninth sentence, as appearing in section 2 of chapter 640 of the acts of 1954, and inserting in place thereof the following sentence:—The owner, if aggrieved by the excise assessed, may on or before June thirtieth of the year next succeeding the year to which the excise relates or, if the notice of assessment is first sent after June first of such succeeding year, on or before the thirtieth day after the date on which such notice is so sent, apply for an abatement to the board of assessors or the state tax commission, as the case may be, and, from a decision of the board of assessors upon such application, an appeal may be taken to the county commissioners or to the appellate tax board, all in accordance with section sixty-four or sixty-five of chapter fifty-nine, or from a decision of the commission an appeal may be taken to the appellate tax board in the time and manner provided in the case of appeals taken pursuant to section seventy-one of chapter sixty-three.

SECTION 2. This act shall apply to excises assessed before or after the effective date of this act for the privilege of registration in the year nineteen hundred and fifty-nine and thereafter under chapter ninety of the General Laws.

Approved June 12, 1959.

Chap. 372. AN ACT PROVIDING TENURE FOR WILLIAM ALDRICH, PROVISIONAL POLICE OFFICER IN THE TOWN OF LEE.

Be it enacted, etc., as follows:

SECTION 1. William Aldrich, a provisional police officer in the town of Lee, shall be deemed to be permanently appointed as police officer in accordance with chapter thirty-one of the General Laws; provided, he passes a qualifying examination to which he shall be subjected by the division of civil service, which examination shall not include a physical examination or strength test.

SECTION 2. This act shall take effect upon its acceptance by a majority of the voters of the town of Lee present and voting thereon at an annual town meeting.

Approved June 12, 1959.

Chap. 373. AN ACT POSTPONING THE EFFECTIVE DATE OF CERTAIN ELEVATOR AND ESCALATOR REGULATIONS.

Be it enacted, etc., as follows:

The effective date of the revised elevator and escalator regulations (ELV-I Revised) made by the board of elevator regulations, in ac-

cordance with the provisions of section sixty-nine of chapter one hundred and forty-three of the General Laws, shall be January first, nineteen hundred and sixty-four. *Approved June 12, 1959.*

Chap. 374. AN ACT FURTHER REGULATING THE DATE OF MUNICIPAL ELECTIONS IN THE CITY OF MALDEN.

Be it enacted, etc., as follows:

Section 9 of chapter 169 of the acts of 1881, as amended by section 1 of chapter 286 of the acts of 1958, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:—On the first Tuesday after the first Monday in November in each odd numbered year the qualified voters in the several wards shall give in their votes by ballot for mayor, city councillors, and school committee, in accordance with the provisions of law.

Approved June 12, 1959.

Chap. 375. AN ACT REVIVING RIO CASINO, INC.

Be it enacted, etc., as follows:

SECTION 1. Rio Casino, Inc., a corporation dissolved on December thirtieth, nineteen hundred and fifty-two, by decree of the supreme judicial court for Suffolk County, shall be revived, in accordance with the provisions of section two of this act.

SECTION 2. The commissioner of corporations and taxation shall file in the office of the secretary of state a certificate in such form as he may prescribe reviving said corporation. He may subject the revival of said corporation to such terms and conditions, as in his judgment the public interest requires, including more specifically and without limiting the foregoing, the filing of all returns and documents required by law to be filed in this commonwealth by domestic business corporations and the payment of all taxes, interest and penalties and fees found to be due the commonwealth. Upon the filing of said certificate, said corporation shall stand revived with the same powers, duties and obligations as if it had not been dissolved, except as otherwise provided in said certificate; and all acts and proceedings of its officers, directors and stockholders or members, acting or purporting to act as such, which would have been legal and valid but for such dissolution, shall, except as aforesaid, stand ratified and confirmed.

Approved June 22, 1959.

Chap. 376. AN ACT RELATIVE TO THE AUTHORITY OF CITIES AND TOWNS TO APPROPRIATE FUNDS FOR LOCAL COUNCILS FOR THE AGING.

Be it enacted, etc., as follows:

Section 5 of chapter 40 of the General Laws is hereby amended by striking out clause (49), as most recently amended by section 2 of chapter 406 of the acts of 1957, and inserting in place thereof the following clause:—

(49) For the purpose of co-ordinating or conducting programs dealing with problems of the aging and to promote facilities for the health, education, welfare and recreation of the aging, as authorized by section eight B, not in excess of three thousand dollars annually.

Approved June 22, 1959.

Chap. 377. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF THE COUNTY OF BARNSTABLE TO PURCHASE OR TAKE BY EMINENT DOMAIN A CERTAIN PARCEL OF LAND IN SAID COUNTY FOR SEWAGE PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of the county of Barnstable are hereby authorized to purchase or take by eminent domain, under chapter seventy-nine of the General Laws, a certain parcel of land to be used for treatment, purification and disposal of sewage, said parcel being located in the town of Barnstable and bounded and described as follows:—Beginning at a county bound at the southwesterly corner of the premises, at a point at the northeasterly corner of land owned by the county of Barnstable; thence running in a northwesterly direction, at an angle of $35^{\circ} 40'$, 68.25 feet to a point where a county bound will be set; thence turning and running in a northeasterly direction at an angle of $37^{\circ} 38' 20''$, 100 feet to a point where a county bound will be set; thence turning and running in a northeasterly direction at an angle of $8^{\circ} 42' 20''$, 49.16 feet to a point where a county bound will be set; thence turning and running in a northeasterly direction at an angle of $62^{\circ} 01' 50''$, 57.99 feet to a point where a county bound will be set; thence turning and running in a northeasterly direction at an angle of $37^{\circ} 38' 20''$, 63.33 feet to a point where a county bound will be set; thence turning and running in a northeasterly direction along the remains of a fence at an angle of $51^{\circ} 53' 20''$, 203.01 feet to a point where a county bound will be set; thence turning and running in a southwesterly direction at an angle of $19^{\circ} 24' 50''$, 99.61 feet to a point where a county bound will be set; thence turning and running in a southeasterly direction at an angle of $35^{\circ} 40'$, 196 feet to a point where a stone bound will be set; thence turning and running in a southwesterly direction at an angle of $54^{\circ} 20'$, 75 feet to a stone bound; thence turning and running in a northwesterly direction at an angle of $35^{\circ} 40'$, 100 feet to a point where a stone bound will be set; thence turning and running in a southwesterly direction at an angle of $54^{\circ} 20'$, 300 feet to the point of beginning. Said parcel containing 53,430 square feet of land more or less and being shown as parcel 2 on a plan of land entitled "Plan showing proposed land takings for extension of county sewage system at Barnstable, Mass. by the County of Barnstable, scale fifty feet to the inch, E. D. Kellogg, civil engineer."

SECTION 2. Said county commissioners are also authorized to purchase or take by eminent domain under said chapter seventy-nine such easements over land adjacent to the land described in section one as may be necessary for drainage purposes in order to make the maximum use of said land for the purpose for which it was acquired.

Approved June 22, 1959.

Chap. 378. AN ACT FURTHER REGULATING THE LENGTH OF SEMI-TRAILER UNITS USING THE HIGHWAYS OF MASSACHUSETTS.

Be it enacted, etc., as follows:

The first paragraph of section 19 of chapter 90 of the General Laws, as appearing in chapter 573 of the acts of 1951, is hereby amended by striking out, in line 16, the word "forty-five" and inserting in place thereof the word:—fifty,—so that the first sentence will read as follows:—No motor vehicle or trailer, the outside width of which is more than ninety-six inches or the extreme over-all length of which is more than thirty-three feet or, in the case of a motor bus or truck, thirty-five feet, shall be operated on any way without a special permit so to operate from the board or officer having charge of such way or, in case of a state highway or a way determined by the department of public works to be a through route, from said department; provided, that such width may be exceeded by the lateral projection of pneumatic tires beyond the rims of the wheels for such distance on either side of the vehicle or trailer as will not increase its outside width above one hundred and two inches; and provided, further, that the extreme over-all length of a semi-trailer unit, wherever used, may exceed thirty-three feet but not fifty feet, and that such length of any other motor vehicle, or any trailer, when used for the transportation of poles or single units of lumber or metal, may exceed thirty-three feet but not sixty feet, except as authorized by a special permit granted as aforesaid.

Approved June 22, 1959.

Chap. 379. AN ACT PROVIDING TENURE OF OFFICE FOR RUSSELL REID, INCUMBENT OF THE OFFICE OF CHIEF OF POLICE OF THE TOWN OF RAYNHAM.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of Russell Reid, incumbent of the office of chief of police in the town of Raynham, shall, upon the effective date of this act, be unlimited during good behavior. Said incumbent shall not be removed from office, lowered in rank or suspended, except for just cause and for reasons given him in writing by the board of selectmen.

SECTION 2. This act shall be submitted to the voters of the town of Raynham at the annual town meeting in the year nineteen hundred and sixty in the form of the following question, which shall be placed upon the official ballot to be used for the election of town officers at said meeting:—"Shall an act passed by the General Court in the year nineteen hundred and fifty-nine, entitled 'An Act providing tenure of office for Russell Reid, incumbent of the office of chief of police of the town of Raynham', be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise.

Approved June 22, 1959.

Chap. 380. AN ACT AUTHORIZING THE TOWN OF WILMINGTON TO USE CERTAIN FUNDS FOR THE PURPOSE OF DEVELOPING ADDITIONAL WELL FIELDS, INCLUDING WELLS, PIPES AND ORIGINAL PUMPING STATION EQUIPMENT.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section twenty of chapter forty-four of the General Laws, the town of Wilmington is hereby authorized to appropriate and expend for the purpose of developing additional well fields, including wells, pipe, and original pumping station equipment, the sum of fifty-one thousand six hundred and three dollars from the balance remaining of a loan issued by said town under the provisions of clause (4) of section eight of said chapter forty-four for constructing a standpipe.

SECTION 2. This act shall take effect upon its passage.

Approved June 29, 1959.

Chap. 381. AN ACT PROVIDING THAT A PHYSICIAN OR A DENTIST EMPLOYED AS AN INTERN IN A MUNICIPAL HOSPITAL MAY ELECT WHETHER OR NOT TO JOIN THE CONTRIBUTORY RETIREMENT SYSTEM.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is in part to immediately allow a physician or a dentist employed as an intern in a municipal hospital to elect whether or not he shall become a member of the contributory retirement system, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Paragraph (a) of subdivision (2) of section 3 of chapter 32 of the General Laws is hereby amended by striking out clause (iv), as most recently amended by section 2 of chapter 321 of the acts of 1958, and inserting in place thereof the following clause:—

(iv) Any person, except as specifically otherwise provided for in sections one to twenty-eight, inclusive, who, while under age sixty, enters or re-enters the service as an employee of the commonwealth, a teacher as defined in section one, or an employee of any political subdivision of the commonwealth for which a system established under the provisions of such sections, or under corresponding provisions of earlier laws, is in operation on the date when he becomes an employee; provided, that any such person who becomes regularly employed, as determined by the board as provided for in paragraph (d) of this subdivision, on a part-time, provisional, temporary, temporary provisional, seasonal or intermittent basis, shall become a member in service, if he is to be classified in Group 1, upon the completion of six calendar months of service, and any other such person shall become a member in service upon his entry into service; and provided, further, that a physician or dentist who is employed as an intern in a municipal hospital shall not become a member unless he files a written application for membership within ninety days of his appointment.

Approved June 29, 1959.

Chap. 382. AN ACT PROVIDING FOR A REDUCTION IN SENTENCE FOR PRISONERS IN JAILS AND HOUSES OF CORRECTION WHO DONATE BLOOD FOR CERTAIN CAUSES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for uniformity in the application of the system provided for reduction of sentences of prisoners who donate blood in jails, houses of correction and other correctional institutions of the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety.

Be it enacted, etc., as follows:

SECTION 1. Chapter 127 of the General Laws is hereby amended by striking out section 129A, inserted by chapter 224 of the acts of the current year, and inserting in place thereof the following section:—
Section 129A. A prisoner of any correctional institution of the commonwealth or of any jail or house of correction whose term of imprisonment is thirty days or more may have his sentence reduced by five days for each pint of blood donated by him to any veterans' organization, civil defense unit, or hospital, or to the armed forces of the United States, or the Red Cross, or for the purposes of scientific research. Each prisoner shall be limited to four donations a year. Any reduction of sentence so earned shall not be subject to forfeiture. The blood so donated shall not be used in any way commercially or for a profit. A list of all such blood donors and the amounts of blood donated by each shall be kept by the superintendent of the correctional institution or the keeper or master of the jail or house of correction and shall be forwarded to the commissioner of correction, the county commissioners or, in the county of Suffolk, the penal institutions commissioner of the city of Boston, respectively.

SECTION 2. This act shall take effect on July twentieth, nineteen hundred and fifty-nine.

Approved June 29, 1959.

Chap. 383. AN ACT RELATIVE TO THE MEMBERSHIP OF THE ACADEMIC BOARD OF THE MASSACHUSETTS MILITARY ACADEMY.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to increase forthwith the number of commissioned officers on the academic board of the Massachusetts Military Academy and to provide that the senior army advisor and the commandant of the academy shall be members of said board, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public welfare and convenience.

Be it enacted, etc., as follows:

Section 19 of chapter 33 of the General Laws, as appearing in section 1 of chapter 590 of the acts of 1954, is hereby amended by striking out paragraph (b) and inserting in place thereof the following paragraph:—

(b) Under such regulations as the commander-in-chief may prescribe, the educational policies, courses of study, standards of admission and graduation of the academy shall be determined by an academic board of twelve commissioned officers, of whom one shall be the

senior army advisor and one shall be the commandant of the academy, to be appointed by the commander-in-chief. At least a majority of the members of said academic board shall be active officers of the national guard, army or air, at the time of their appointment. Members of the academic board shall serve for such terms as the commander-in-chief may prescribe, or until relieved by his order.

Approved June 29, 1959.

Chap. 384. AN ACT VALIDATING CERTAIN PROCEEDINGS OF THE MENDON-
UPTON REGIONAL SCHOOL DISTRICT COMMITTEE.

Be it enacted, etc., as follows:

SECTION 1. The proceedings heretofore taken by the Mendon-Upton regional district school committee authorizing the issuance of bonds of the Mendon-Upton Regional School District to the amount of one million, one hundred and fifty thousand dollars and awarding a contract for construction of a regional school building including without limitation the vote of said regional school district committee passed April fourth, nineteen hundred and fifty-nine, are hereby validated, and said bonds may be issued accordingly without further opportunity to the member towns to express disapproval of the amount of said bonds.

SECTION 2. This act shall take effect upon its passage.

Approved June 29, 1959.

Chap. 385. AN ACT RELATIVE TO RESIDENCE REQUIREMENTS OF APPLI-
CANTS FOR AID TO DEPENDENT CHILDREN.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make the residence requirements for aid to dependent children comply with Title IV of the federal social security act and thereby assure continued receipt of federal funds under said social security act, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public welfare and public convenience.

Be it enacted, etc., as follows:

The first sentence of section 2 of chapter 118 of the General Laws, as most recently amended by chapter 349 of the acts of 1958, is hereby further amended by inserting after the word "application", in line 11, the words:—or birth,—so as to read as follows:—In every town the board of public welfare, subject to the supervision of the department and in compliance with the rules and regulations adopted by the department pursuant to the provisions of this chapter, shall aid every parent in properly bringing up, in his or her own home, each dependent child if such parent is fit to bring up such child, but no aid shall be granted under this chapter for or on account of any child unless (1) such child has resided in the commonwealth one year immediately preceding the application for such aid, or (2) such child was born within one year immediately preceding such application, if its parent has resided in the commonwealth for one year immediately preceding the application or birth.

Approved June 29, 1959.

Chap. 386. AN ACT AUTHORIZING THE TOWN OF MILLIS TO APPROPRIATE MONEY IN CONNECTION WITH THE CELEBRATION OF THE SEVENTY-FIFTH ANNIVERSARY OF SAID TOWN'S INCORPORATION.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of clause (27) of section five of chapter forty of the General Laws, the town of Millis is hereby authorized to appropriate a sum of money, not to exceed twenty-five hundred dollars, to be expended for entertainment and other events in connection with the proposed celebration of the seventy-fifth anniversary of the incorporation of the town of Millis. The money so appropriated shall be disbursed under the direction of the board of selectmen.

SECTION 2. Any action taken by the town of Millis at its annual town meeting held in the current year shall be as valid and effective as if this act were in effect at the time when the warrant for such meeting was posted.

SECTION 3. This act shall take effect upon its passage.

Approved June 29, 1959.

Chap. 387. AN ACT FURTHER EXTENDING THE OPPORTUNITY TO CITIES AND TOWNS TO BORROW UNDER THE ACT CREATING THE EMERGENCY FINANCE BOARD.

Whereas, The provisions of law sought to be extended by this act would, but for this act, shortly cease to be effective, but the circumstances and conditions which made advisable their enactment still continue and it is accordingly desirable that said provisions continue in effect without interruption, therefore this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 2 of chapter 49 of the acts of 1933, as most recently amended by section 1 of chapter 209 of the acts of 1957, is hereby further amended by striking out, in line 14, the word "fifty-nine" and inserting in place thereof the word:—sixty-one,—by striking out, in line 26, the word "sixty" and inserting in place thereof the word:—sixty-two,—and by striking out, in line 39, the word "sixty-one" and inserting in place thereof the word:—sixty-three.

SECTION 2. Section 5 of said chapter 49, as most recently amended by section 2 of said chapter 209, is hereby further amended by striking out, in lines 16 and 17, the word "sixty-two" and inserting in place thereof the word:—sixty-four.

Approved June 29, 1959.

Chap. 388. AN ACT RELATIVE TO THE REGISTRATION OF CERTAIN PERSONS AS HAIRDRESSERS.

Be it enacted, etc., as follows:

SECTION 1. The schedule in section 87CC of chapter 112 of the General Laws, as appearing in chapter 501 of the acts of 1954, is

hereby amended by inserting after the sixth item the following item:—
 Hairdressers (re-examination) \$5.00 \$3.00,-
 and by inserting after the fifteenth item the following item:
 Temporary license 10.00 5.00.

SECTION 2. Chapter 503 of the acts of 1957 is hereby amended by striking out section 3 and inserting in place thereof the following section:—*Section 3.* Notwithstanding the provisions of section eighty-seven V and eighty-seven W of chapter one hundred and twelve of the General Laws, any person who was never registered as a hairdresser, operator or manicurist within the commonwealth but who prior to January first, nineteen hundred and thirty-six practiced as such within the commonwealth and who submits notarized affidavits satisfactory to the board that he so practiced, shall file application for examination accompanied by examination fee as provided in section eighty-seven CC of chapter one hundred and twelve of the General Laws and upon completion of a refresher course of at least five hundred hours as a hairdresser or operator of professional training and fifty hours as a manicurist in a school approved by the board, and upon passing an examination satisfactory to the board, may be registered by the board and may thereafter practice as such within the commonwealth for a period of original registration and thereafter upon payment annually of a renewal fee as provided in said section eighty-seven CC. Upon completion of the required refresher course said applicant may file application plus an additional fee of five dollars and be granted a temporary license authorizing him to practice as such hairdresser, operator or manicurist as the case may be. Such temporary license shall bear an expiration date, which shall be six months from date of issuance, and the place of employment of such temporary licensee. If such applicant fails to appear for examination in accordance with the provisions of section eighty-seven KK of said chapter one hundred and twelve during such period, he shall forfeit such temporary license, as well as the fee for examination. There shall be no refund once a temporary license has been issued to the applicant.

Approved June 29, 1959.

Chap. 389. AN ACT RELATIVE TO THE PAYMENT OF SALARIES, WAGES OR OTHER MONEY OWING BY THE COMMONWEALTH UPON THE DEATH OF OFFICERS OR EMPLOYEES.

Be it enacted, etc., as follows:

Chapter 29 of the General Laws is hereby amended by inserting after section 31C the following section:—*Section 31D.* Whenever an officer or employee or former officer or employee of the commonwealth dies, and the commonwealth owes him any sum or sums, not exceeding, in the aggregate, five hundred dollars, by reason of services rendered or by reason of the terms of his employment, the state treasurer may, after the expiration of thirty days from the date of death of such decedent, provided no petition for letters testamentary or letters of administration has been filed with the probate court of the county in which the decedent resided and no attested copy of a statement duly

filed under section sixteen of chapter one hundred and ninety-five has been issued by the register of said probate court, pay such sum or sums to the husband, widow, or next of kin of such officer or employee. Payments made as provided in this section shall discharge the liability of the commonwealth to all persons with respect to such sum or sums.

Approved June 29, 1959.

Chap. 390. AN ACT PROVIDING FOR THE HEARING BY THE STATE BALLOT LAW COMMISSION OF PROTESTS AGAINST THE VALIDITY OR SUFFICIENCY OF PETITIONS FOR THE RESTORATION OF VOTING BY PROPORTIONAL REPRESENTATION IN CERTAIN PLAN E CITIES.

Be it enacted, etc., as follows:

SECTION 1. Section 2 of chapter 152 of the acts of 1954 is hereby amended by striking out, in line 3, the word "sixty" and inserting in place thereof the words:—one hundred and forty.

SECTION 2. Said chapter 152 is hereby further amended by inserting after section 2 the following section:—*Section 2A.* If any question arises as to the validity or sufficiency of the petition or of the signatures thereon, any registered voter of the city may appeal to the state ballot law commission for a determination of said question, by filing a notice of such appeal with the city council, and with the clerk of the election commission or the board of registrars of voters within sixty days after the date the petition was filed with the city clerk.

The state ballot law commission shall give such voter a hearing on said protest and shall within thirty days render a decision thereon. Said commission shall submit notice of its decision forthwith to the city council.

Approved June 29, 1959.

Chap. 391. AN ACT PROVIDING LIFE TENURE FOR HENRY J. SLIWOSKI, INCUMBENT OF THE OFFICES OF CHIEF OF POLICE AND CUSTODIAN OF TOWN HALL OF THE TOWN OF HATFIELD.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of Henry J. Sliwoski, incumbent of the offices of chief of police and custodian of town hall of the town of Hatfield shall be unlimited in each of said offices, but he may be removed from either or both of said offices for cause after hearing in the manner provided by section forty-three of chapter thirty-one of the General Laws.

SECTION 2. This act shall be submitted to the voters of said town at the annual town meeting to be held in the year nineteen hundred and sixty in the form of the following question, which shall be placed upon the official ballot to be used for the election of town officers at said meeting:—"Shall an act passed by the General Court in the year nineteen hundred and fifty-nine, entitled 'An Act providing life tenure for Henry J. Sliwoski, incumbent of the offices of chief of police and custodian of town hall of the town of Hatfield', be accepted?" If a majority of the votes cast in answer to said question is in the affirmative, this act shall take full effect, but not otherwise.

Approved June 29, 1959.

Chap. 392. AN ACT PROVIDING FOR THE MERGER AND UNION OF THE HARVARD ALUMNI CHORUS, INC. WITH HARVARD GLEE CLUB FOUNDATION, INC., AND THE TRANSFER OF THE PROPERTY OF SAID THE HARVARD ALUMNI CHORUS, INC. TO SAID HARVARD GLEE CLUB FOUNDATION, INC.

Be it enacted, etc., as follows:

SECTION 1. The Harvard Alumni Chorus, Inc., incorporated pursuant to the provisions of chapter one hundred and twenty-five of the Revised Laws, the certificate of incorporation of which is dated November eighth, nineteen hundred and sixteen, is hereby authorized to merge in and unite with Harvard Glee Club Foundation, Inc., incorporated pursuant to the provisions of chapter one hundred and eighty of the General Laws, the certificate of incorporation of which is dated December fifteenth, nineteen hundred and forty-nine, and said Harvard Glee Club Foundation, Inc. shall, in all respects, be a continuation of said The Harvard Alumni Chorus, Inc. and shall be its lawful successor and shall have all of the corporate powers and privileges now provided to each of said existing corporations, and shall be subject to all the duties, liabilities and restrictions of each of said existing corporations, in so far as they relate to the merging corporations.

SECTION 2. Upon such merger and union, all property, real and personal, of said The Harvard Alumni Chorus, Inc. and all devises, bequests, conveyances and gifts heretofore and hereafter made to it, shall vest in Harvard Glee Club Foundation, Inc. and otherwise be held by it, subject to the same terms, conditions, limitations and trusts as are now held by said The Harvard Alumni Chorus, Inc. or would have been held by said The Harvard Alumni Chorus, Inc. but for this act, and the treasurer of said The Harvard Alumni Chorus, Inc. is hereby authorized to execute and deliver all papers and documents that may be deemed necessary or proper for the purpose of confirming in said Harvard Glee Club Foundation, Inc. the record title to the property of said The Harvard Alumni Chorus, Inc.

SECTION 3. Upon such merger and union the members of said The Harvard Alumni Chorus, Inc. shall be the members of said Harvard Glee Club Foundation, Inc. until such time as said Harvard Glee Club Foundation, Inc. shall by an amendment to its by-laws alter its membership.

SECTION 4. Upon the acceptance of this act within one year after its passage by said The Harvard Alumni Chorus, Inc. and by said Harvard Glee Club Foundation, Inc., pursuant to authorization at meetings duly called for the purpose, duly certified copies of the respective votes of acceptance shall be filed in the registry of deeds for the southern district of the county of Middlesex and in the office of the state secretary, and, upon such filing, such merger and union of the corporations shall be complete.

SECTION 5. Whatever right or authority is granted or conferred by this act is hereby declared to be limited to such authority or right as the general court may constitutionally grant or confer, without prejudice to any proceeding that may be instituted in any court of competent jurisdiction to effect the purposes of this act.

Approved June 29, 1959.

Chap. 393. AN ACT RELATING TO THE HUNTINGTON-MONTGOMERY REGIONAL SCHOOL DISTRICT AND VALIDATING PROCEEDINGS RELATING THERETO AND OTHER PROCEEDINGS OF THE TOWN OF HUNTINGTON AND PROVIDING FOR A SPECIAL TOWN MEETING OF SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. The proceedings heretofore taken relating to the establishment of the Huntington-Montgomery Regional School District are hereby validated, and said district is hereby declared to be, and at all times since its establishment to have been, a valid district with all the rights, powers and duties of districts duly established under section fifteen of chapter seventy-one of the General Laws.

SECTION 2. All proceedings heretofore taken by the town of Huntington at town meetings held since December twenty-seventh, nineteen hundred and thirty-five, are hereby validated, notwithstanding any defect in the warning of such meetings and more particularly in the posting of the warrants, to the same extent as if such meetings had been duly warned in all respects.

SECTION 3. Said town is hereby authorized to hold a special town meeting during the current year for the purpose of repealing the by-law adopted at a special town meeting held on December twenty-seventh, nineteen hundred and thirty-five, relative to the posting of warrants and to take such further action relative to the posting of warrants as the town may determine. *Approved June 29, 1959.*

Chap. 394. AN ACT AUTHORIZING THE UNITARIAN CHURCH OF MARBLEHEAD TO USE CERTAIN LAND FORMERLY USED FOR CEMETERY PURPOSES.

Be it enacted, etc., as follows:

The Unitarian Church of Marblehead is hereby authorized to erect an addition to its present church building on land adjacent thereto and formerly used for cemetery purposes; and said church is hereby further authorized to remove any remains interred on said land and reinter the same in another portion of said cemetery, marking the new graves in so far as now marked, or to permit any descendant or relative of any person interred to remove the remains of such person, and reinter such remains in accordance with applicable laws and regulations concerning burial. *Approved June 29, 1959.*

Chap. 395. AN ACT RELATIVE TO THE RETIREMENT OF CERTAIN VETERANS IN THE TOWN OF WINTHROP.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section sixty of chapter thirty-two of the General Laws, the provisions of sections fifty-six to fifty-nine, inclusive, of said chapter shall be in effect in the town of Winthrop, provided, that no veteran whose employment first began after June thirtieth, nineteen hundred and thirty-nine,

shall be subject to the provisions of said sections fifty-six to fifty-nine, inclusive.

SECTION 2. This act shall take effect upon its acceptance by a majority vote of the town meeting members at an annual or special town meeting called for the purpose. *Approved June 29, 1959.*

Chap. 396. AN ACT RELATIVE TO THE SALE OF AGRICULTURAL, VEGETABLE, FLOWER AND OTHER KINDS AND MIXTURES OF SEEDS.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 94 of the General Laws is hereby amended by striking out the two paragraphs defining "Inert matter" and "Lot", as appearing in the Tercentenary Edition.

SECTION 2. Said chapter 94 is hereby further amended by striking out sections 261A to 261K, inclusive, inserted by section 2 of chapter 377 of the acts of 1946, and inserting in place thereof the following eleven sections:—

Section 261A. The following words, as used in sections two hundred and sixty-one A to two hundred and sixty-one K, inclusive, unless the context otherwise requires, shall have the following meanings:—

"Commissioner", the commissioner of agriculture.

"Director", the director of the Massachusetts agricultural experiment station.

"Agricultural seeds", seeds of grass, forage, cereal, mangel beets, and fiber crops and any other kinds of seeds commonly recognized as agricultural, lawn or field seeds, and mixtures of such seeds.

"Vegetable seeds", seeds of those food crops which are grown in gardens and on truck farms and are generally known and sold under the name of vegetable or herb seeds.

"Flower seeds", seeds of herbaceous plants grown for their blooms, ornamental foliage or other ornamental parts and commonly known and sold under the name of flower seeds.

"Tree and shrub seeds", seeds of woody plants commonly known and sold as tree or shrub seeds.

"Weed seeds", the seeds of all plants generally recognized as weeds, including noxious-weed seeds.

"Noxious-weed seeds", are hereby divided into two classes, "Prohibited noxious-weed seeds" and "Restricted noxious-weed seeds", as hereinafter defined; provided, that the commissioner may add to or subtract from the list of seeds included under either definition whenever he finds, after public hearing, that such additions or subtractions are or are not within the respective definitions.

"Prohibited noxious-weed seeds", seeds of perennial weeds such as not only reproduce by seed, but also spread by underground roots or stems and other reproductive parts and which, when established, are highly destructive and difficult to control by ordinary good cultural practice, including the seed of Canada thistle (*Cirsium arvense*), field bindweed (*Convolvulus arvensis*), and quack grass (*Agropyron repens*).

“Restricted noxious-weed seeds”, seeds of such weeds as are very objectionable in fields, lawns or gardens, but can be controlled by good cultural practice; including the seeds of dodder (*Cuscuta* spp.), horse-nettle (*Solanum carolinense*), wild mustards (*Brassica* spp.), wild garlic and wild onion (*Allium* spp.), perennial sowthistle (*Sonchus arvensis*), corncockle (*Agrostemma githago*), buckhorn plantain (*Plantago lanceolata*), wild radish (*Raphanus raphanistrum*), and bedstraw (*Galium* spp.).

“Labeling”, all labels, and other written, printed or graphic representations, in any form, accompanying and pertaining to any seed whether in bulk or in containers, including invoices.

“Advertisement”, all representations, other than those on the label, disseminated in any manner or by any means, relating to seed within the scope of said sections two hundred and sixty-one A to two hundred and sixty-one K, inclusive.

“Stop sale”, an administrative order provided by law, restraining sale, use, disposition and movement of a definite amount of seed.

“Seizure”, a legal process carried out by court order against a definite amount of seed.

“Kind”, one or more related species or subspecies which, singly or collectively, is known by one common name, for example, corn, oats, alfalfa or timothy.

“Variety”, a subdivision of a kind characterized by growth, yield, disease resistance, plant, flower, fruit, seed or other characteristics by which it may be differentiated under certain conditions from other plants of the same kind, including hybrid designations.

“Lot”, a definite quantity of seed which is identified by the same lot number or other mark, each portion or container of which is representative of the whole quantity.

“Hybrid”, the first generation of a cross produced under controlled pollination, the parents of which are each sufficiently uniform to permit repeated production of the hybrid without change in performance.

“Pure seed”, agricultural, vegetable, flower and tree or shrub seeds, exclusive of inert matter, weed seeds, and all other seeds distinguishable from the kinds, or kinds and varieties, being considered.

“Percentage of germination”, the percentage of seeds, other than hard seeds, which are capable of producing normal seedlings under favorable conditions.

“Percentage of hard seed”, the percentage of seeds which are incapable of sprouting promptly because their outer structures are impermeable to water.

“Inert matter”, all matter not seeds, including broken seeds, sterile florets, chaff and stones.

“Other agricultural seeds”, agricultural seeds other than those included in the percentage or percentages of kind, variety or type and may be expressed as “crop seeds” or “other crop seeds” but the percentage shall include collectively all kinds, varieties or types not named upon the label.

“Treated”, seed that has received an application of a substance or process which substance or process is designed to reduce, control or repel certain disease organisms, insects or other pests attacking such seeds or seedlings growing therefrom.

“Certified”, “Registered”, “Foundation”, or any other terms conveying similar meaning when referring to seed, seed which has been produced, processed and labeled in accordance with the procedures and in compliance with the rules and regulations of an officially recognized certification agency or agencies.

“Officially recognized”, recognized and designated by the laws or regulations of any state, the United States, any province of Canada, or the government of any foreign country wherein said seeds were produced.

Section 261B. Except as otherwise provided in section two hundred and sixty-one D, each container of agricultural, vegetable, flower or tree and shrub seed which is sold, offered for sale or exposed for sale within the commonwealth for sowing purposes shall bear thereon, or have attached thereto in a conspicuous place on one side of a plainly written or printed label or tag, in the English language, the following information:—

(1) The name and address of the person who labeled said seed, or who sells, offers or exposes said seed for sale within the commonwealth.

(2) If said seed has been treated, in which case a separate label may be used, a word or statement indicating that the seed has been treated, the commonly accepted coined, chemical or abbreviated chemical name of the applied substance, and, if the substance in the amount present with the seed is harmful to humans or other vertebrate animals, a statement advising caution such as “Do not use for food, feed or oil purposes”, or if said seed contains mercurials or similarly toxic substances, a statement or symbol indicating that it is poisonous.

A. Agricultural Seeds (including lawn seeding mixtures).—

(1) The commonly accepted name of the kind and variety of each agricultural seed component in excess of five per cent of the whole, and the percentage by weight of each in the order of its predominance. In the case of barley, buckwheat, oats, rye or wheat, when the variety thereof is unknown, the label or tag shall have printed thereon the words “Variety Unknown”. When more than one component is required to be named, the word “mixture” or the word “mixed” shall be shown conspicuously on the label.

(2) The lot number or other lot identification.

(3) The origin, if known, of alfalfa, red clover, white clover and field corn (except hybrid corn). If the origin is unknown, that fact shall be stated.

(4) The percentage by weight of all weed seeds.

(5) The name and number of each kind of “Restricted” noxious-weed seed per pound when present.

(6) The percentage by weight of agricultural seeds other than those named on the label, or voluntarily named which may be designated as “other crop seed.”

(7) The percentage by weight of inert matter.

(8) For each named agricultural seed:—

(a) The percentage of germination, exclusive of hard seed.

(b) The percentage of hard seed, if present.

(c) The calendar month and year the test was completed to determine such percentages.

B. Vegetable Seeds.—

(1) For peas, beans and sweet corn in containers of one pound or less, and all other kinds of vegetable seeds in containers of one quarter pound or less.

- (a) The date of test or calendar year for which seed is packaged.
- (b) The kind and variety of seed.
- (c) For seed that germinates less than the standard last adopted by the director:
 - 1. Percentage of germination, exclusive of hard seed.
 - 2. Percentage of hard seed, if present.
 - 3. The calendar month and year the test was completed to determine such percentages.
 - 4. The words "Below Standard" in not less than eight point type.

(2) For peas, beans and sweet corn in containers of more than one pound and all other kinds of vegetable seeds in containers of more than one quarter pound.

- (a) The kind and variety of seed.
- (b) Lot number or other lot identification.
- (c) Percentage of germination, exclusive of hard seeds.
- (d) Percentage of hard seed, if present.
- (e) For seed germinating less than the standard, the words "Below Standard" in not less than eight point type.
- (f) The calendar month and year the test was completed to determine such percentages.

C. Flower Seeds.—

For those kinds of flower seeds where there are annual, biennial and perennial sorts, or any two of such sorts a statement in a conspicuous location on the seed container to indicate whether the seed is of the annual, biennial or perennial sort.

1. For flower seeds in packets for use in home flower gardens.

- (a) The date of test or calendar year for which seed is packaged.
- (b) Name of the kind and variety (if any) or a statement of type and performance characteristics as prescribed in regulations.
- (c) For those kinds of seeds for which standard testing procedures shall have been adopted, and which germinate less than the standard last adopted by the director and approved by the commissioner under section two hundred and sixty-one I:
 - (1) Percentage of germination, exclusive of hard seed.
 - (2) Percentage of hard seed, if present.
 - (3) The calendar month and year the test was completed to determine such percentages.
 - (4) The words "Below Standard" in not less than eight point type.

2. For flower seeds in containers other than packets prepared for use in home flower gardens.

- (a) Name of the kind and variety, if any, or a statement of type and performance characteristics as prescribed in regulations.

- (b) Lot number or other lot identification.
- (c) For kinds of seeds for which standard testing procedures shall have been adopted.
 - (1) Percentage of germination, exclusive of hard seed.
 - (2) Percentage of hard seed, if present.
 - (3) For seeds germinating less than the standard, the words "Below Standard" in not less than eight point type.
 - (4) The calendar month and year the test was completed to determine such percentages.

D. Tree and Shrub Seeds, in containers of quarter pound or more.—

- (1) The kind of seed and the variety.
- (2) The percentage by weight of pure seed.
- (3) The percentage of germination of those kinds for which standard testing procedures have been adopted.
- (4) The year of collection of such seed.
- (5) The specific locality (state and county in the United States or nearest equivalent political unit in the case of foreign countries in which the seed was collected). If origin is unknown, that fact shall be stated.

(6) The date of test or calendar year for which seed is packaged.

Section 261C. A. Except as otherwise provided in section two hundred and sixty-one D, no person shall sell, offer for sale or expose for sale any agricultural, vegetable, flower or tree and shrub seed within the commonwealth:—

(1) Unless the test to determine the percentage of germination required by section two hundred and sixty-one B was completed within a nine-month period, exclusive of the calendar month in which the test was completed, immediately prior to sale, exposure for sale or offering for sale or transportation; and provided, further, that the records of such tests shall be available to the commissioner or his duly authorized assistants for a period of at least one year from date of test.

(2) Not labeled in accordance with the provisions of sections two hundred and sixty-one A to two hundred and sixty-one K, inclusive, or having a false or misleading labeling.

(3) Pertaining to which there has been a false or misleading advertisement.

(4) Consisting of or containing "Prohibited" noxious-weed seeds.

(5) Consisting of or containing "Restricted" noxious-weed seeds at a rate per pound in excess of the number declared on the label attached to the container of the seed or associated with the seed, subject to tolerances.

(6) Containing more than one per cent of all weed seeds.

(7) So weak or so low in germination according to standards adopted and rules and regulations prescribed by the director under the provisions of section two hundred and sixty-one I as to be unfit for seeding purposes.

(8) Represented to be "certified seed" "registered seed" or "foundation seed" or designated by any other term conveying similar

meaning, unless such seed has been produced, processed and labeled in accordance with the procedures and in compliance with the rules and regulations of an officially recognized certification agency or agencies and bears an official tag or label of such an agency.

(9) Represented to be hybrid seed unless such seed conforms to the definition of hybrid in section two hundred and sixty-one A, except that this provision shall not apply to variety names in common trade usage.

B. No person shall, within the commonwealth:—

(1) Detach, alter, deface or destroy any label provided for in said sections two hundred and sixty-one A to two hundred and sixty-one K, inclusive, or the regulations promulgated thereunder, or alter or substitute seed, in a manner that may defeat the purposes of said sections.

(2) Disseminate any false or misleading advertisement concerning agricultural, vegetable, flower or tree and shrub seed.

(3) Hinder or obstruct any authorized person in the performance of his duties under said sections two hundred and sixty-one A to two hundred and sixty-one K, inclusive.

(4) Fail to comply with an official order to withhold from sale certain seeds as provided in section two hundred and sixty-one F.

(5) Move or otherwise handle or dispose of any lot of seed held under a "stop-sale" order or tags attached thereto, except with the written permission of the enforcing officer, and for the purpose specified therein.

(6) Sell, offer or expose for sale any color mixture of a single kind of flower seed representing four or more colors or shades, in which any one color or shade occurs in sixty per cent or more of the plants which the mixture is capable of producing, unless colors or shades and approximate percentage of each is indicated on the label.

(7) Sell, offer or expose for sale a mixture of flower seed kinds in which any one kind is present in excess of twenty-five per cent by seed count unless the kinds present and the approximate percentage of each are indicated on the label.

(8) Use of the word "trace" as a substitute for any statement as to quantity or percentage which is required.

Section 261D. (a) Sections two hundred and sixty-one B and two hundred and sixty-one C shall not apply:—

(1) To seed or grain not intended for sowing purposes.

(2) To seed in storage in, or consigned to, a seed cleaning or processing establishment for cleaning or processing; provided, that any labeling or other representation made with respect to the unclean seed shall be subject to sections two hundred and sixty-one A to two hundred and sixty-one K, inclusive.

(b) No person shall be subject to the penalties of section two hundred and sixty-one K for having sold or offered or exposed for sale in the commonwealth, any agricultural, vegetable, flower or tree and shrub seeds which were incorrectly labeled or represented as to kind, variety or origin, which seeds cannot be identified by examination thereof, unless he has failed to obtain an invoice or grower's declaration or other labeling information giving kind, variety or origin, if

required, and to take such other precautions as may be necessary to insure the identity to be that stated.

(c) The labeling requirements for all vegetable and agricultural seeds (including mixtures), flower and tree or shrub seeds shall be considered to have been met if the seed is taken from a properly labeled container in the presence of the purchaser.

Section 261E. The commissioner and his duly authorized assistants shall have authority to enforce sections two hundred and sixty-one A to two hundred and sixty-one K, inclusive, and to prosecute all violations thereof. Before any prosecution is begun by said commissioner or any of his duly authorized assistants, the parties concerned shall be given an opportunity to be heard before said commissioner or a person designated by him for such purpose. The parties concerned shall be given reasonable notice of the hearing, specifying the day, hour and place thereof, and accompanied by a description of the alleged violation.

Section 261F. (a) The commissioner, either in person or his assistants, shall have free access at all reasonable hours to each building or other place where agricultural seeds or mixtures thereof, vegetable seeds, flower seeds or tree and shrub seeds are stored, sold or offered or exposed for sale, for the purpose of inspection of such seeds, and, upon tendering the market price, may take samples of such agricultural, vegetable, flower or tree and shrub seeds or mixtures thereof for tests and analyses.

Such samples shall be thoroughly mixed and two official samples taken therefrom; each official sample shall be securely sealed. Such official samples shall be submitted by said commissioner or his duly authorized assistants to the director for testing and analyzing. One of such samples shall be held by the director or his duly authorized assistant at the disposal of the person named on the label as the vendor of the seed samples for six months after the results of the analysis have been reported, as provided in section two hundred and sixty-one H, and the other sample retained by the director or such assistant for analysis.

(b) The commissioner shall co-operate with the United States department of agriculture in seed law enforcement.

(c) The commissioner may order that any agricultural seeds or mixtures thereof, vegetable seeds, flower seeds or tree and shrub seeds, the containers of which he finds are not tagged or labeled as provided in section two hundred and sixty-one B or which do not conform to the statements on the tags or labels attached to the containers thereof, be withheld from sale until properly tagged or labeled or until made to conform to the statements on the tags or labels attached to the containers thereof. Any person aggrieved by such an order may, within ten days after the entry thereof, appeal therefrom by petition to the superior court in the county where he resides or has his usual place of business or in the county of Suffolk. The court shall hear such petition speedily in accordance with the usual course of procedure in equity, and may affirm, modify or revoke such order. Such order shall remain in force until so modified or revoked.

Section 261G. Any lot of agricultural, vegetable, flower or tree and shrub seed not in compliance with the provisions of sections two hundred and sixty-one A to two hundred and sixty-one K, inclusive, shall be subject to seizure on complaint of the commissioner to a court of competent jurisdiction in the area in which the seed is located. If the court finds the seed to be in violation of said sections, and orders the condemnation of such seed, it shall be denatured, processed, destroyed, relabeled, or otherwise disposed of in compliance with the laws of the commonwealth; provided, that the court shall not order such disposition of such seed without first having given the claimant an opportunity to apply to the court for the release of such seed or permission to process or relabel it to bring it into compliance with said sections.

Section 261H. The director shall cause such tests and analyses as he may specify to be made of samples collected under section two hundred and sixty-one F in order to determine the quality of the seeds contained in such samples. The results of all such analyses shall be reported to the commissioner. To enable the director to determine the trueness to type or variety of vegetable, flower and other seeds, he shall provide that field tests be made of such samples of seeds as he may designate, and may publish the results of all such tests and analyses as are made in accordance with the provisions of this section.

Section 261I. The director, after a reasonable notice and hearing and with the approval of the commissioner, shall adopt vegetable seed and flower seed germination standards, prescribe rules and regulations from time to time, and in like manner, modify or amend rules and regulations governing the methods of sampling, inspecting, analyzing, testing and examining agricultural, vegetable, flower or tree and shrub seed and the tolerances to be followed in the administration of sections two hundred and sixty-one A to two hundred and sixty-one K, inclusive, which shall be in general accord with officially prescribed practice in interstate commerce, and such other rules and regulations as may be necessary to secure the efficient enforcement of said sections.

Section 261J. Any person residing or doing business in the commonwealth may submit to the director samples of seeds for purity and germination tests subject to such rules and regulations as may be adopted by the director, including a reasonable charge or fee for such tests. Receipts under this section shall be paid into the state treasury.

Section 261K. Whoever sells, offers or exposes for sale any lot of agricultural seeds or mixtures thereof, vegetable seeds, flower seeds or tree and shrub seeds without complying with the requirements of sections two hundred and sixty-one A to two hundred and sixty-one J, inclusive, applicable thereto, or in violation of any order, under section two hundred and sixty-one F, of the commissioner or of the superior court if an appeal is taken, or whoever falsely marks or labels any such seed or mixture, or impedes, obstructs or hinders the commissioner or any of his duly authorized agents, or the director or any of his duly authorized assistants, in the discharge of the authority or duties conferred or imposed by any provision of said sections, shall be punished by a fine of not more than five hundred dollars.

Approved June 29, 1959.

Chap. 397. AN ACT DESIGNATING THE ELEMENTARY SCHOOL BUILDING AT THE WRENTHAM STATE SCHOOL AS THE DR. KARL V. QUINN ELEMENTARY SCHOOL BUILDING.

Be it enacted, etc., as follows:

The new elementary school building at the Wrentham state school shall be designated and known as The Dr. Karl V. Quinn Elementary School Building, in honor of Dr. Karl V. Quinn, present superintendent of said school.

Approved June 29, 1959.

Chap. 398. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE THIRTIETH, NINETEEN HUNDRED AND FIFTY-NINE, TO PROVIDE FOR SUPPLEMENTING CERTAIN EXISTING APPROPRIATIONS AND FOR CERTAIN NEW ACTIVITIES AND PROJECTS.

Be it enacted, etc., as follows:

SECTION 1. To provide for supplementing certain appropriations previously made, and for certain new activities and projects, the sums set forth in this act are hereby made available from the funds designated, to be in addition to any amounts otherwise available for the purpose, subject to the provisions of law regulating the disbursement of public funds and the approval thereof and the conditions pertaining to said appropriations in chapter four hundred and thirty-four of the acts of nineteen hundred and fifty-eight.

SECTION 2.

STATE PURPOSES APPROPRIATIONS.

APPROPRIATIONS MADE FROM THE GENERAL FUND.

Service of the Legislature.

House of Representatives.

Item		
0102-06	For personal services of the counsel to the house of representatives and assistants, including not more than seven permanent positions	\$295 00
0102-07	For clerical and other assistance to the house committee on rules, including not more than thirteen permanent positions	1,183 00
0102-08	For clerical and other assistance to the house committee on ways and means, including not more than seven permanent positions, prior appropriation continued	2,890 00

Sergeant-at-Arms.

0103-04	For the salaries of assistant doorkeepers of the senate and house of representatives and of general court officers, with the approval of the sergeant-at-arms, including not more than thirty-six permanent positions	\$6,518 00
0103-05	For compensation of the pages of the senate and house of representatives, with the approval of the sergeant-at-arms, including not more than twenty-four permanent positions	5,610 00
0103-06	For the salaries of clerks employed in the legislative document room, including not more than three permanent positions	876 00
0103-51	For contingent expenses of the senate and house of representatives and necessary expenses in and about the state house, with the approval of the sergeant-at-arms, prior appropriation continued	3,800 00

Other Expenses.

- 0110-30 For traveling and such other expenses of joint committees of the general court as may be authorized by joint order of the general court \$1,000 00

Special Investigations.

- 0245-00 For an investigation and study relative to retarded children and the training facilities available therefor, as authorized by chapter fifty-nine of the resolves of the current year \$6,780 00
- 0259-02 For expenses of the Massachusetts civil war centennial commission, as authorized by chapter one hundred and thirty-seven of the resolves of nineteen hundred and fifty-eight 15,000 00

Service of the Judiciary.*Superior Court.*

- 0305-11 For compensation of justices of district courts while sitting in the superior court, prior appropriation continued \$10,000 00

Service of the Department of Education.

For the maintenance of and for certain improvements at the following state teachers' college, with the approval of the commissioner of education:

- 1337-01 State teachers' college at Worcester, including not more than sixty-six permanent positions \$10,000 00

Division of Youth Service.

- 1380-01 For the youth service board and for the administration of the division of youth service, including not more than seventy-nine permanent positions \$19,900 00

For the maintenance of and for certain improvements at the institutions within the division:

- 1382-01 Industrial school for girls, including not more than seventy permanent positions 3,800 00
- 1388-01 For the operation of a residential treatment unit for small boys in Oakdale, including not more than twenty-one permanent positions 7,743 00

LOCAL AID APPROPRIATION.

The following appropriation is for reimbursements and grants to local governments and for certain other purposes, and is to be in addition to any unexpended balance of appropriations heretofore made for the purpose:

APPROPRIATION MADE FROM THE GENERAL FUND.**Service of the Department of Education.**

- 2613-19 For the reimbursement of certain cities and towns maintaining extended courses of instruction, as authorized by section seventy-eight of chapter seventy-one of the General Laws \$965 00

DEBT SERVICE APPROPRIATION.**APPROPRIATION MADE FROM THE GENERAL FUND.****Interest and Redemption of Debt.**

- 2410-00 For the payment of interest on the direct debt of the commonwealth, to be in addition to the amount appropriated in item 2951-00, prior appropriation continued \$526,674 00

DEFICIENCIES.

For deficiencies in certain appropriations of previous years, in certain funds, as follows:

- 2899-00 General Fund \$13,412 00
- 2999-00 Highway Fund 9,311 00

SECTION 3. This act shall take effect upon its passage.

Approved June 30, 1959.

Chap. 399. AN ACT AUTHORIZING CERTAIN EMERGENCY EXPENDITURES DURING THE MONTH OF JULY IN THE FISCAL YEAR NINETEEN HUNDRED AND SIXTY.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any other provision of law to the contrary, House Bill numbered 2860, as amended and passed to be engrossed by the House of Representatives, making appropriations for the fiscal year nineteen hundred and sixty for the maintenance of departments, boards, commissions, institutions, and certain activities of the commonwealth, for interest, sinking fund and serial bond requirements, and for certain permanent improvements, shall be effective on the passage of this act; provided, that expenditures thereunder shall be limited to the amounts made available by allotment by the governor upon recommendation of the commission on administration and finance; and, provided, further, that said commission is directed to limit its recommendations to allotment of funds to those appropriation accounts which are essential for the maintenance of services during the month of July. The total allotment to any department, board or commission subject to allotment under the provisions of section nine B of chapter twenty-nine of the General Laws shall not exceed the amount allotted in the first allotment period of the nineteen hundred and fifty-nine fiscal year; provided, however, that in case of appropriation accounts which did not receive an allotment in the first period of the 1959 fiscal year, the commission may authorize such allotment as may be necessary, in which case a copy of such authorization shall be filed with the joint committee on ways and means.

SECTION 2. This act shall cease to be operative upon the enactment into law of the general appropriation bill for the fiscal year nineteen hundred and sixty or on July thirty-first, nineteen hundred and fifty-nine, whichever is the earlier, and all action taken under this act shall apply against said appropriation act.

SECTION 3. This act shall take effect upon its passage.

Approved June 30, 1959.

Chap. 400. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND SIXTY FOR THE MILK CONTROL COMMISSION.

Be it enacted, etc., as follows:

SECTION 1. To provide for the maintenance of the services of the milk control commission, the sums set forth in section two of this act, for the purposes and subject to the conditions specified in said section two, are hereby appropriated from the General Fund, subject to the provisions of law regulating the disbursement of public funds and the approval thereof, for the fiscal year ending June thirtieth, nineteen hundred and sixty, in this act referred to as the year nineteen hundred and sixty, or for such period as may be specified.

SECTION 2.

STATE PURPOSES APPROPRIATIONS.

APPROPRIATIONS MADE FROM THE GENERAL FUND.

Service of the Department of Agriculture.

Milk Control Commission.

Item	
0906-01	For the service of the commission, including not more than thirty-four permanent positions . . . \$49,391 00

SECTION 3. Wherever, in section two of this act, it is provided that transfers shall be made from a fund, account or receipts, of a specific sum, a percentage of payments, or a sum equivalent to payments, such transfers of a specific sum shall be made upon the effective date of this act, and all others shall be made quarterly unless otherwise provided; except, that at the close of a fiscal year, the amount equivalent to payments in a continuing account shall be construed to mean the amount of such appropriation.

SECTION 4. No moneys appropriated under this act shall be expended for reimbursement for the expenses of meals for persons while traveling within or without the commonwealth at the expense thereof, unless such reimbursement is in accordance with rules and rates established in accordance with section twenty-eight of chapter seven of the General Laws.

SECTION 5. The allowance to state employees for expenses incurred by them in the operation of motor vehicles owned by them and used in the performance of their official duties shall not exceed eight cents a mile.

No state-owned motor vehicle shall be used for providing transportation for state officers or employees between their domiciles and places of employment nor shall any expense be incurred for the garaging of such vehicles except under regulations approved by the commission on administration and finance.

SECTION 6. Amounts included for permanent positions in sums appropriated in section two for personal services are based upon schedules of permanent positions and salary rates as approved by the joint committee on ways and means, and, except as otherwise shown by the files of said committee, a copy of which shall be deposited with the division of personnel and standardization, no part of sums so appropriated in section two shall be available for payment of salaries of any additional permanent position, or for payments on account of reallocations of permanent positions, or for payments on account of any change of salary range or compensation of any permanent position, notwithstanding any special or general act to the contrary; provided, that no vacancy occurring in any classified permanent position included in said schedules of permanent positions may be filled in any manner except upon approval as required by rules and regulations established under the provisions of paragraph six of section forty-five of chapter thirty of the General Laws; and, provided further, that no part of sums appropriated in section two shall be available for the payment of overtime service to any employee of the commonwealth without the prior written approval of such overtime by the commission on administration and finance, upon recommendation of the director of the

division of personnel and standardization, except where such overtime service is essential to replace the service of an employee necessary for the care of patients or inmates in institutions operated by the commonwealth.

SECTION 7. In addition to the payment of regular salaries, sums appropriated for personal services in the fiscal year nineteen hundred and sixty shall be available for the payment of such other forms of compensation as may be due under existing statutes, or under the provisions of rules and regulations made in accordance with said statutes.

SECTION 8. No agency of the commonwealth receiving an appropriation under section two of this act shall make any expenditure for any document printed, mimeographed or prepared in any other way, whether for outside or interdepartmental circulation, unless publication of such document shall have been approved by the state purchasing agent, and the state purchasing agent is hereby authorized and directed to require such agencies to summarize and consolidate such documents when feasible, and each document authorized to be printed which is four pages or more in length shall state on its face the estimated cost per copy, including the cost of paper, printing and binding. Notwithstanding any special or general law, complete original manuscripts of annual reports of state agencies, whenever printed in full or in summarized or consolidated form or in case such report is not printed, shall be filed with the secretary of the commonwealth. Except as otherwise provided by law, agencies selling documents shall do so at not less than the stated estimated cost; provided, however, that such agencies may dispose of excess copies of documents no longer current as provided by rules and regulations of the commission on administration and finance.

SECTION 9. Notwithstanding the salary schedule adopted in chapter seven hundred and twenty-nine of the acts of nineteen hundred and fifty-six or any other provision of law, the rate of compensation of each officer and employee whose position is classified under the provisions of chapter thirty of the General Laws shall be limited to an increase not in excess of one thousand dollars per annum over the rate paid to such employee on September thirtieth, nineteen hundred and fifty-six; provided, however, that any such employee may receive an increase in excess of one thousand dollars if said increase is the result of a step-in-range duly authorized by law; and, provided further, that on and after October first, nineteen hundred and fifty-seven, any officer or employee who has been prevented from receiving the maximum of his salary range by the provisions of section nine of chapter seven hundred and forty-six of the acts of nineteen hundred and fifty-six or of corresponding sections in succeeding appropriation acts shall, on completing a year of service at the rate of compensation as so limited, receive an annual increase of an amount equal to a step in range of the job group to which his title is assigned or an increase to the maximum of the range, whichever is the lesser.

SECTION 10. This act shall take effect upon its passage.

Approved June 30, 1959.

Chap. 401. AN ACT RELATIVE TO THE DISPOSITION OF CERTAIN FUNDS AUTHORIZED TO BE RAISED FOR THE ALLEVIATION OF CERTAIN FINANCIAL BURDENS IMPOSED BY THE RAINS OF AUGUST EIGHTEENTH AND NINETEENTH AND OCTOBER FIFTEENTH, SIXTEENTH AND SEVENTEENTH, NINETEEN HUNDRED AND FIFTY-FIVE, AND BY THE FLOODS CAUSED BY SAID RAINS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to extend the time within which certain unencumbered funds remaining in the hands of the commission on administration and finance on June thirtieth, nineteen hundred and fifty-nine, may be used for the purpose of alleviating financial burdens imposed by the rains of August eighteenth and nineteenth and October fifteenth, sixteenth and seventeenth, nineteen hundred and fifty-five, and by the floods caused by said rains, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Section 1 of chapter 436 of the acts of 1958 is hereby amended by striking out, in line 9, the word "fifty-nine" and inserting in place thereof the word:—sixty,—so as to read as follows:—*Section 1.* For the purpose of making available for expenditure certain balances of funds authorized by chapter two hundred and eight of the acts of nineteen hundred and fifty-six, which would otherwise revert on June thirtieth, nineteen hundred and fifty-eight, under the provisions of section two of said chapter two hundred and eight, as amended by chapter four hundred and fifty-five of the acts of nineteen hundred and fifty-seven, the sum of seven hundred and eighty thousand dollars is hereby made available for expenditure until June thirtieth, nineteen hundred and sixty.

Approved June 30, 1959.

Chap. 402. AN ACT PROVIDING A PENALTY FOR THE FAILURE BY A FATHER OR MOTHER TO SUPPORT A NEEDY DISABLED SON OR DAUGHTER.

Be it enacted, etc., as follows:

Chapter 273 of the General Laws is hereby amended by adding at the end thereof the following section:—*Section 23.* The father or mother of any needy disabled person who unreasonably neglects or refuses to provide for the support and maintenance of such person shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than two years, or both.

Approved July 6, 1959.

Chap. 403. AN ACT PROVIDING FOR THE EQUIPPING AND FURNISHING OF THE NEW CITY HALL IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Section 3 of chapter 624 of the acts of 1958 is hereby amended by inserting after the word "thereon", in line 16, the words:

—and the original equipping and furnishing,—so as to read as follows:—*Section 3.* The Government Center Commission created by section two shall have the power and duty to acquire in the name and behalf of said city by purchase or gift from said authority or otherwise or to request the public improvement commission of said city to so acquire by eminent domain under said chapter seventy-nine or eighty A from said authority or otherwise, a suitable site for a new city hall for said city, and, in acquiring the whole or any part of such site from said authority, to assume in the name of said city any and all obligations imposed by or under the aforesaid section twenty-six LL. Subject to the provisions of sections forty-four A to forty-four L, inclusive, of chapter one hundred and forty-nine of the General Laws and the provisions of section six of chapter four hundred and eighteen of the acts of eighteen hundred and ninety, as respectively amended, the Government Center Commission shall also have the power and duty to contract in the name and behalf of said city for the preparation of such site and the planning and construction thereon and the original equipping and furnishing of such new city hall.

SECTION 2. This act shall take effect upon its passage.

Approved July 7, 1959.

Chap. 404. AN ACT AUTHORIZING THE TOWN OF STONEHAM TO BORROW MONEY FOR THE DREDGING AND IMPROVEMENT OF CERTAIN WATERWAYS AND VALIDATING ACTS AND PROCEEDINGS OF A CERTAIN TOWN MEETING.

Be it enacted, etc., as follows:

SECTION 1. The town of Stoneham, for the purpose of contributing to the cost or expense of dredging or otherwise enlarging and improving the Sweetwater brook and adjacent areas in said town, said work to be done by the division of waterways of the department of public works, may borrow from time to time, within three years of the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, fifty-three thousand dollars and may issue bonds or notes of the town therefor which shall bear on their face the words, Town of Stoneham, Brook Clearance Loan, Act of 1959. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than twenty years from their dates.

SECTION 2. The action taken by the town of Stoneham at the adjourned town meeting on March sixteenth, nineteen hundred and fifty-nine, in voting to adopt Article 47 of the town warrant, and all acts and proceedings in pursuance thereof are hereby confirmed and validated, and shall have the same effect as though this act were in full force and effect upon the date of the posting of said warrant.

SECTION 3. This act shall take effect upon its passage.

Approved July 7, 1959.

Chap. 405. AN ACT MAKING APPROPRIATIONS FOR THE MAINTENANCE OF WORCESTER COUNTY, ITS DEPARTMENTS, BOARDS, COMMISSIONS AND INSTITUTIONS, OF SUNDRY OTHER SERVICES, FOR CERTAIN PERMANENT IMPROVEMENTS, FOR INTEREST AND DEBT REQUIREMENTS, AND TO MEET CERTAIN REQUIREMENTS OF LAW AND GRANTING A COUNTY TAX FOR SAID COUNTY.

Whereas, The deferred operation of this act would result in unnecessarily extending the period during which county expenditures would be made in anticipation of appropriation, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. To provide for the maintenance of Worcester county, its departments, boards, commissions and institutions, of sundry other services, for certain permanent improvements, for interest and debt requirements, and to meet certain requirements of law, the following sums for the several purposes and subject to the conditions specified in section two are hereby appropriated, subject to the provisions of law regulating the disbursement of county funds and the approval thereof for the year nineteen hundred and fifty-nine:—

WORCESTER COUNTY.

Item	
1.	For interest on county debt \$53,840 00
2.	For reduction of county debt 135,000 00
3.	For county commissioners, salaries and expenses 33,142 00
4.	For transportation and expenses of county and acting commissioners 2,541 00
5.	For clerk of courts, salaries and expenses 147,092 06
6.	For county treasurer, salaries and expenses 41,413 50
7.	For sheriff, salary and expenses 10,460 00
8.	For registries of deeds, salaries and expenses 297,965 49
8a.	For registry of probate, salaries and expenses 14,005 00
9.	For law libraries, salaries and expenses 33,415 84
10.	For highways, including state highways, bridges and land damages 589,577 40
11.	For examination of dams 3,200 00
12.	For criminal costs in superior court 149,888 10
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees 303,682 50
14.	For district courts, salaries and expenses 551,569 60
15.	For medical examiners and commitments of insane 80,220 00
16.	For jail and house of correction, maintenance and operation 333,631 70
18.	For court houses and registry buildings, maintenance and operation 254,648 89
20.	For agricultural school or county aid to agriculture, maintenance and operation 126,176 24

Item	
21. For state reservation, maintenance and operation, Mount Wachusett	\$34,591 00
21a. For state reservation, maintenance and operation, Purgatory Chasm	15,595 50
24. For non-contributory pensions	41,684 27
25. For contributory retirement system and supervisory expenses	74,743 00
26. For miscellaneous and contingent expenses	21,832 69
27. For unpaid bills of previous years	4,500 00
28. For reserve fund	20,000 00
29. For bindery department	13,183 50
30. For forest fire patrol	3,200 00
39. For group insurance	31,025 00
Total Amount of Appropriations	\$3,421,824 28
Less Estimated amount available for Reduction of County Tax	580,460 35

And the county commissioners of Worcester County are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of ... \$2,841,363 93

SECTION 2. Sums appropriated in section one are based upon detailed schedules approved by the joint committee on counties, copies of which are deposited with the director of accounts.

Said director shall file with the county commissioners and the county treasurer of Worcester county a certification of the amounts above appropriated as set forth in the approved schedules for said county. Except as provided by this act or except as otherwise provided by law, no liability may be incurred and no expenditure shall be made in excess of the amount available in an existing appropriation for a function, a main group, a class or a sub-class.

Transfers within an appropriation from a main group to another main group may be made upon written request of the authorized official of the organization unit with the written approval of said county commissioners, and copies of said request and approval shall be filed with the county treasurer; provided, however, that no transfer shall be made from the main groups "personal services" or "equipment" to another main group nor shall any transfer be made from any other main group into the main groups "personal services" or "equipment".

Transfers within an appropriation between classes and between sub-classes within a main group may be made by the authorized official of the organization unit whenever in his opinion public necessity and convenience so requires; provided, however, that no transfer shall be made within the classes of the main groups "personal services" or "equipment".

Amounts included for permanent positions in sums appropriated in section one for personal services are based upon schedules of permanent positions and salary rates as approved by the joint committee on counties, and, except as otherwise shown by the files of said com-

mittee, a copy of which shall be deposited with the county personnel board, no part of sums so appropriated in section one shall be available for payment of salaries of any additional permanent positions, or for payments on account of reallocations of permanent positions, or for payments on account of any change of salary range or compensation of any permanent positions, notwithstanding any special or general act to the contrary.

Moneys appropriated under this act for the purchase of equipment shall be expended for the purposes specified in the schedules as approved by the joint committee on counties and for no other purpose.

No direct drafts against the account known as the reserve fund shall be made, but transfers from this account to other accounts may be made to meet extraordinary or unforeseen expenditures upon the request of the county commissioners with the approval of the director of accounts.

SECTION 3. No expense incurred for mid-day meals by county officers and employees, other than those who receive as part of their compensation a non-cash allowance in the form of full or complete boarding and housing, and those county officers and employees who are stationed beyond commuting distance from their homes for a period of more than twenty-four hours, shall be allowed by any county; provided, that officers or employees who have charge of juries or who have the care and custody of prisoners, insane persons or other persons placed in their charge by a court or under legal proceedings for transfer to or from court to an institution or from institution to institution and persons certified by a district attorney as engaged in investigation shall be reimbursed for the expense of mid-day meals when necessarily engaged on such duty; and provided, further, that county officers and employees in attendance at meetings and conferences called by or for any group or class on a statewide basis shall be so reimbursed.

No moneys appropriated under this act shall be expended by county officers or employees for telephone service furnished to such officers or employees at places other than regular county offices.

SECTION 4. The allowance to county officers and employees for expenses incurred by them in the operation of motor vehicles owned by them or by any member of their immediate families and used in the performance of their official duties shall not exceed eight cents a mile, except in cases where a higher allowance is specifically provided by statute; provided, that in the case of commitments of the insane the justice of the court ordering the commitment may order a higher rate. No expenditures shall be made for travel outside the commonwealth for attendance at conferences or conventions.

SECTION 5. Any provision of general or special law to the contrary notwithstanding, any county officer or employee whose salary rate on July first, nineteen hundred and fifty-seven, was limited to an increase in rate of one thousand dollars shall receive an increase in salary rate of not more than one step in his salary grade, effective on his anniversary date or on July first, nineteen hundred and fifty-nine, in accordance with approved list filed with the county personnel board by the joint committee on counties.

Approved July 7, 1959.

Chap. 406. AN ACT DESIGNATING THE BRIDGE OVER THE FALL RIVER EXPRESSWAY ON PLEASANT STREET IN THE CITY OF BROCKTON AS THE CHARLES G. MILES BRIDGE.

Be it enacted, etc., as follows:

SECTION 1. The bridge over the Fall River Expressway on Pleasant street in the city of Brockton shall be known and designated as the Charles G. Miles bridge in honor of the late Doctor Charles G. Miles, a former member of the Massachusetts Senate. A suitable marker bearing said designation shall be attached to said bridge by the state department of public works.

SECTION 2. This act shall take effect upon its passage.

Approved July 7, 1959.

Chap. 407. AN ACT DESIGNATING THE BRIDGE OVER THE FALL RIVER EXPRESSWAY ON BELMONT STREET IN THE CITY OF BROCKTON AS THE ARTHUR J. SHEEHAN BRIDGE.

Be it enacted, etc., as follows:

SECTION 1. The bridge over the Fall River Expressway on Belmont street in the city of Brockton shall be known and designated as the Arthur J. Sheehan bridge in honor of the late Arthur J. Sheehan who represented said city in the Massachusetts House of Representatives. A suitable marker bearing said designation shall be attached to said bridge by the state department of public works.

SECTION 2. This act shall take effect upon its passage.

Approved July 7, 1959.

Chap. 408. AN ACT REPEALING THE LAW RESTRICTING THE USE OF LANDS ABUTTING THE YANKEE DIVISION HIGHWAY IN THE TOWNS OF LYNNFIELD AND DANVERS AND THE CITY OF PEABODY.

Be it enacted, etc., as follows:

SECTION 1. Chapter four hundred and ninety-one of the acts of nineteen hundred and fifty is hereby repealed.

SECTION 2. Notwithstanding the provisions of section one of this act no road providing access to or egress from the Yankee Division Highway shall, without the approval of the state department of public works, be laid out or constructed in the towns of Lynnfield and Danvers and the city of Peabody.

SECTION 3. This act shall take effect upon its passage.

Approved July 7, 1959.

Chap. 409. AN ACT AUTHORIZING THE DEPARTMENT OF CORRECTION TO TRANSFER BACK TO THE DEPARTMENT OF MENTAL HEALTH A CERTAIN PARCEL OF LAND IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

The commissioner of the department of correction is hereby authorized and directed to transfer back to the department of mental health

that certain parcel of land which was transferred to it by the department of mental health under the authority and direction of chapter seven hundred and forty-one of the acts of nineteen hundred and fifty-six.

Approved July 7, 1959.

Chap. 410. AN ACT TERMINATING EASEMENTS OF NON-ABUTTING LOTS IN ABANDONED PORTIONS OF TURNAROUNDS, SHOWN ON PLANS APPROVED UNDER THE SUBDIVISION CONTROL LAW.

Be it enacted, etc., as follows:

Section 81Q of chapter 41 of the General Laws is hereby amended by inserting after the third sentence, as appearing in section 7 of chapter 674 of the acts of 1953, the following two sentences:—Such rules and regulations may set forth a requirement that a turnaround be provided at the end of the approved portion of a way which does not connect with another way. Any easement in any turnaround shown on a plan approved under the subdivision control law which arises after January first, nineteen hundred and sixty, other than an easement appurtenant to a lot abutting the turnaround, shall terminate upon the approval and recording of a plan showing extension of said way, except in such portion of said turnaround as is included in said extension, and the recording of a certificate by the planning board of the construction of such extension.

Approved July 7, 1959.

Chap. 411. AN ACT EXEMPTING FROM TAXATION THE REAL AND PERSONAL PROPERTY OF INCORPORATED INSTRUMENTALITIES OF THE SALVATION ARMY.

Be it enacted, etc., as follows:

SECTION 1. The property of any incorporated instrumentality of The Salvation Army, an unincorporated association, whether such instrumentality is incorporated under the laws of this commonwealth or under the laws of any other state of the United States, shall be exempt from taxation under the provisions of chapter fifty-nine of the General Laws, so long as such property is devoted to the religious or charitable purposes of said unincorporated association.

SECTION 2. This act shall take effect as of January first of the current year.

Approved July 7, 1959.

Chap. 412. AN ACT PROVIDING FOR PAYMENTS BY THE COMMONWEALTH TO CERTAIN TOWNS IN REIMBURSEMENT FOR LOSS OF TAXES BY REASON OF PROPERTY TAKEN FOR FLOOD CONTROL.

Be it enacted, etc., as follows:

SECTION 1. Chapter 58 of the General Laws is hereby amended by striking out section 17B, as most recently amended by section 13 of chapter 654 of the acts of 1953, and inserting in place thereof the following section:— *Section 17B.* The state treasurer shall annually,

not later than November twentieth, upon certification by the commission as hereinafter provided, pay to each town in which property has been taken for flood control by the United States pursuant to consent granted by the commonwealth under chapter two hundred and eighty-four of the acts of nineteen hundred and thirty-nine, chapter five hundred and ninety-four of the acts of nineteen hundred and forty-eight and chapter six hundred and thirteen of the acts of nineteen hundred and fifty-six, an amount determined by multiplying each thousand dollars of the average assessed valuation of such property for the last three years prior to acquisition by the United States, or fractional part thereof, by the rate provided for under section fifty-eight of chapter sixty-three. Said commission shall annually ascertain said valuation and the amount to be paid to each town, and shall certify the same to the state treasurer not later than November first.

SECTION 2. This act shall apply in the year nineteen hundred and fifty-nine and thereafter.

Approved July 7, 1959.

Chap. 413. AN ACT RELATIVE TO PAYMENT OF CLAIMS OF CITIES AND TOWNS FOR THE CARE OF TUBERCULOSIS CASES.

Be it enacted, etc., as follows:

Chapter 111 of the General Laws is hereby amended by striking out section 77, as most recently amended by section 4 of chapter 270 of the acts of 1952, and inserting in place thereof the following section:—
Section 77. The department shall certify, in the case of each hospital, building or ward approved by it, as provided in section seventy-six, the number of patients for whom the town is entitled to the subsidy, and upon such certification the subsidy shall be paid by the commonwealth. No claim shall be allowed for a subsidy covering more than ninety days prior to the date when notice of the claim is received by the department.

Approved July 7, 1959.

Chap. 414. AN ACT PROVIDING THAT THE FEE FOR REGISTRATION OF MOTOR VEHICLES UNDER A GENERAL DISTINGUISHING NUMBER OR MARK SHALL FOR THE PERIOD BETWEEN OCTOBER FIRST AND DECEMBER THIRTY-FIRST BE ONE HALF THE CHARGE FOR A FULL YEAR'S REGISTRATION.

Be it enacted, etc., as follows:

Subdivision (7) of section 33 of chapter 90 of the General Laws is hereby amended by striking out the eleventh paragraph, as appearing in chapter 540 of the acts of 1952, and inserting in place thereof the following paragraph:—

For the registration of every motor vehicle or trailer by an owner who applies therefor under section two or section five during the period beginning with the first day of October and ending with the thirty-first day of December in any year, one half of the fee for a full year's registration of said vehicle.

Approved July 7, 1959.

Chap. 415. AN ACT FURTHER REGULATING FEES CHARGED BY THE BOARD OF REGISTRATION IN NURSING FOR EXAMINATIONS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 112 of the General Laws is hereby amended by striking out section 74, as most recently amended by section 4 of chapter 350 of the acts of 1953, and inserting in place thereof the following section:— *Section 74.* The board of registration in nursing, in this section and in sections seventy-four A to seventy-nine, inclusive, called the board, shall hold examinations for the registration of nurses at such times and places as it shall determine. Applications for registration, signed and sworn to by the applicant, shall be made on blanks furnished by the board. An applicant who furnishes satisfactory proof that he is at least twenty years of age, of good moral character and a graduate of a school for nurses approved by the approving authority for schools for nurses and schools for practical nurses established by section fifteen A of chapter thirteen, in this section and in sections seventy-four A, seventy-five and eighty-one A to eighty-one C, inclusive, referred to as the approving authority, shall, upon payment of ten dollars, be examined by the board, and, if found qualified, shall be registered, with a right to use the title registered nurse and to practice as such, and shall receive a certificate thereof from the board, signed by its chairman and secretary. An applicant failing to pass an examination satisfactory to the board shall be entitled to additional examinations under the rules of the board but shall file a new application and pay a fee of ten dollars for each such examination. Every person registered hereunder who continues to hold himself out as a registered nurse shall, on or before his birthday in each year, renew his registration for the ensuing year by payment of one dollar to the board, and thereupon the board shall issue a certificate showing that the holder thereof is entitled to practice as a registered nurse for the period covered by said payment; provided, that if a birthday of any person who shall be registered hereunder shall occur within three months after such original registration, such person need not renew his registration until the birthday next following the birthday aforesaid. For the purposes of this section and of section seventy-four A, the birthday of a person born on February twenty-nine shall be deemed to be February twenty-eight. In default of such renewal, a person registered hereunder shall forfeit the right to practice as a registered nurse or to hold himself out as such until such fee shall have been paid. The board, after a hearing, by vote of a majority of its members, may annul the registration and cancel the certificate of any nurse who has been found guilty of a felony.

SECTION 2. Said chapter 112 is hereby further amended by striking out section 74A, as most recently amended by section 5 of said chapter 350, and inserting in place thereof the following section:— *Section 74A.* The board shall hold examinations for the licensing of practical nurses at such times and places as it shall determine. Applications for licenses as practical nurses, signed and sworn to by the applicants, shall be made on blanks furnished by the board. An applicant who furnishes satisfactory proof that he is at least nineteen years of age, of good moral character and a graduate of a school for

practical nurses approved by the approving authority shall, upon payment of ten dollars, be examined by the board and, if found qualified, shall be licensed, with a right to use the title licensed practical nurse and to practice as such, and shall receive a certificate thereof from the board, signed by its chairman and secretary. An applicant failing to pass an examination satisfactory to the board shall be entitled to additional examinations under the rules of the board but shall file a new application and pay a fee of ten dollars for each such examination. Every person licensed hereunder who continues to hold himself out as a licensed practical nurse shall, on or before his birthday in each year, renew his license for the ensuing year by payment of one dollar to the board, and thereupon the board shall issue a certificate showing that the holder is entitled to practice as a licensed practical nurse for the period covered by said payment; provided, that, if a birthday of any person who shall be licensed hereunder shall occur within three months after such original licensing, such person need not renew his license until the birthday next following the birthday aforesaid. In default of such renewal, a person licensed hereunder shall forfeit the right to practice as a licensed practical nurse or to hold himself out as such until such fee shall have been paid. The board, after a hearing, by vote of a majority of its members, may annul the license and cancel the certificate of any practical nurse who has been found guilty of a felony.

SECTION 3. Section 1 of chapter 371 of the acts of 1956, as amended by chapter 539 of the acts of 1957, is hereby further amended by striking out, in line 8, the word "five" and inserting in place thereof the word:— ten.

SECTION 4. Section 2 of said chapter 371 is hereby amended by striking out, in line 13, the word "five" and inserting in place thereof the word:— ten.

SECTION 5. This act shall take effect on January first, nineteen hundred and sixty.

Approved July 7, 1959.

Chap. 416. AN ACT ESTABLISHING A MASS TRANSPORTATION COMMISSION.

Be it enacted, etc., as follows:

Chapter 16 of the General Laws is hereby amended by adding at the end, under the heading MASS TRANSPORTATION COMMISSION, the following three sections:—*Section 9.* There shall be in the department of public works but in no manner subject to its control a commission to be known as the mass transportation commission consisting of the chairman of the metropolitan district commission, the chairman of the board of trustees of the metropolitan transit authority, the chairman of the Massachusetts turnpike authority, the commissioner of public works, the chairman of the Massachusetts port authority, the chairman of the Boston traffic commission and five persons to be appointed by the governor, with the advice and consent of the council, one of whom shall be experienced in railroad management and operation. Of the five members initially appointed three shall serve for terms of two years and two shall serve for terms of three

years. Upon the expiration of the term of a member his successor shall be appointed in the manner aforesaid for a term of three years.

The governor shall designate one member as chairman of the commission. The governor, with the advice and consent of the council, may remove any member for cause, and with like advice and consent, shall fill any vacancy for the unexpired term.

Section 10. The commission shall investigate and study mass transportation problems and plan co-ordinated mass transportation facilities and policies affecting the commonwealth, the metropolitan Boston area and the city of Boston. The commission shall also investigate and study the relationship of mass transportation facilities to the economic needs and opportunities of the commonwealth and to the civil defense and disaster program of the commonwealth. The commission shall, from time to time, make such recommendations to the governor and the general court for the co-ordination of mass transportation programs and for the development of mass transportation plans as the commission may deem advisable.

Section 11. The commission may employ an adequate technical staff and such other employees as, in its opinion, the work and duties of the commission may require and may expend for such purpose and other necessary expenses such amounts as may be appropriated therefor, including funds received by the treasurer of the commonwealth from the federal government for its purposes. The members of the commission shall serve without compensation but each member shall be reimbursed for all necessary travel and other expenses incurred by him in the performance of his official duties. The commission shall be provided with suitable quarters in the state house or elsewhere in the city of Boston.

Approved July 9, 1959.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, JULY 14, 1959.

The Honorable JOSEPH D. WARD, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

DEAR MR. SECRETARY: — I, Foster Furcolo, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution, the Referendum II, Emergency Measures, hereby declare in my opinion the immediate preservation of the public convenience requires that the law being Chapter 416 of the Acts of 1959, entitled, "An Act Establishing a Mass Transportation Commission" and the enactment of which received my approval on July 9, 1959, should take effect forthwith.

I further declare that in my opinion said law is an emergency law and the facts constituting the emergency are as follows:

Postponement of the operation of this act for ninety days would defeat its purpose in that it will delay the study of mass transportation problems and plans for co-ordinating mass transportation facilities.

Very truly yours,

FOSTER FURCOLO,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, July 14, 1959.

I, Joseph D. Ward, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at three o'clock P.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter four hundred and sixteen of the acts of nineteen hundred and fifty-nine.

JOSEPH D. WARD,
Secretary of the Commonwealth.

Chap. 417. AN ACT AUTHORIZING THE CONTINUATION OF THE FUNCTIONS OF THE VETERANS' BONUS COMMISSION FOR A CERTAIN PERIOD AND DESIGNATING THE COMMISSIONER OF VETERANS' SERVICES AS THE DIRECTOR THEREOF.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith the continuation of the functions of the Veterans' Bonus Commission in order that those veterans of the Korean hostilities who have not as yet received recognition for their services may continue to apply for and receive a bonus under the law, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law to the contrary, the Veterans' Bonus Commission, established by section five of chapter four hundred and forty of the acts of nineteen hundred and fifty-three, is hereby authorized and directed to designate the commissioner of veterans' services as the director of said commission, with all the rights, powers and duties authorized by said act for the purpose of continuing the functions of said commission, and said commissioner of veterans' services in his capacity as said director may expend for the administration of said act during the month of July, nineteen hundred and fifty-nine, such sums as may be necessary from appropriation item 0485-02 made available by chapter three hundred and ninety-nine of the acts of the current year. *Approved July 17, 1959.*

Chap. 418. AN ACT ABOLISHING THE OFFICE OF COMMISSIONER ON ALCOHOLISM AND TRANSFERRING THE POWERS AND DUTIES FORMERLY EXERCISED BY SAID COMMISSIONER TO THE DEPARTMENT OF PUBLIC HEALTH.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to transfer the powers and duties of the commissioner on alcoholism to the department of public health and to make such transfer effective as of the beginning of fiscal year nineteen hundred and sixty, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 17 of chapter 6 of the General Laws is hereby amended by striking out, in lines 11 and 12, as appearing in section 1 of chapter 623 of the acts of 1958, the words “, commissioner on alcoholism”.

SECTION 2. Sections 94, 95 and 96 of said chapter 6 are hereby repealed, and the caption preceding said section 94 is hereby stricken out.

SECTION 3. Chapter 111 of the General Laws is hereby amended by inserting after section 4C the following section:— *Section 4D.* There shall be an advisory council on alcoholism, consisting of the commissioners of education, public health, public welfare, mental health, public safety, and correction, the chairman of the parole board, the commissioner of probation, the registrar of motor vehicles, the commissioner of rehabilitation, the chairman of the youth service board, and three members appointed by the governor for terms of three years each. Such appointive members shall have had experience in some field connected with the care and treatment of alcoholics. The commissioner of public health shall serve as chairman.

The advisory council shall meet at least twice a year, and shall meet at any time upon call of the chairman. It shall consider and make recommendations to the commissioner of public health as to the care and treatment of alcoholics and as to the assembling and dissemination of knowledge regarding the problem of alcoholism. For services on the council, its members shall receive no compensation, but they shall receive their expenses necessarily incurred in rendering such service.

SECTION 4. Said chapter 111 is hereby amended by striking out section 4A, as most recently amended by section 3 of chapter 715 of the acts of 1956, and inserting in place thereof the following section:— *Section 4A.* The department of public health is hereby authorized and directed to establish programs for the diagnosis, treatment and rehabilitation of persons addicted to the excessive use of alcoholic beverages; to study the problems of alcoholism; and to develop and promote preventive and educational programs relating thereto.

The department shall seek to co-ordinate the work of all departments and agencies dealing with the care and treatment of alcoholics or with the problems of alcoholism; shall receive annually, and from time to time, reports from all such departments and agencies dealing with the care and treatment of alcoholics or with problems of alcoholism; shall make a continuous study of methods for treating alcoholism and of other factors relating to the problem of alcoholism in the commonwealth; shall prepare, in co-operation with the department of education, materials for use in the schools and in the teachers colleges relative to the problem of alcoholism and the use of alcohol as a beverage; shall, together with the commissioner of the department responsible for their maintenance, inspect all public facilities for the treatment of alcoholics and make recommendations to the departments; shall consult with the commissioner of any department concerning the establishment of new facilities for the care and treatment of alcoholics; and shall report annually to the governor and to the general court its findings and recommendations. The department may require

of any department, commission, board or officer of the commonwealth which has information relative to the problems of alcoholism such information as may be helpful in carrying out the purposes of this section. The department may negotiate with the commissioners of any county except Suffolk and with the penal institutions commissioner of Boston relative to the establishment of treatment facilities at jails and houses of correction.

A department representative shall meet at least ten times a year with representatives designated by the commissioners of mental health, public welfare, correction and rehabilitation to review the programs being carried on for the treatment of alcoholics in their respective departments.

The commissioner, with the approval of the public health council, may appoint a director of the alcoholism program.

The director may work in conjunction with any foundation or scientific organization in any program designed to develop information relative to the care, study and treatment of alcoholics and alcoholism.

The department may solicit and shall accept in the name of the commonwealth for use in relation to the problems of alcoholism any gift of money or property made therefor by will or otherwise, and any special grant of money, services or property from the federal or state governments or any of their agencies or from private foundations or sources. Any money received under this paragraph shall be turned over to the state treasurer and may be expended by the department in accordance with the conditions of the gift or grant under the order or the approval of the advisory council without specific appropriation.

SECTION 5. Any person employed on a full-time basis by the commissioner on alcoholism immediately prior to the effective date of this act shall be transferred to the department of public health without reduction in salary, impairment of status or loss of seniority or of retirement, civil service, veterans' or other rights.

The commissioner on alcoholism on the effective date of this act shall be employed in the department of public health in the capacity of a special assistant to the commissioner of public health and may supervise the program of alcoholism and such other duties as the commissioner of public health shall prescribe, until such time as the director of civil service shall fill the position by an open competitive examination.

SECTION 6. Funds available for expenditure by the commissioner on alcoholism shall be available on the effective date of this act for expenditure by the department of public health for the purposes of this act.

SECTION 7. The three appointive members of the advisory council on alcoholism, established under section ninety-five of chapter six of the General Laws, shall continue to serve in said office until the expiration of their terms and upon the expiration of any such term his successor shall be appointed for a term of three years, as provided by section four D of chapter one hundred and eleven of the General Laws, inserted by section three of this act.

SECTION 8. This act shall take effect on July first, nineteen hundred and fifty-nine.

Approved July 17, 1959.

Chap. 419. AN ACT DESIGNATING THE TRAFFIC CIRCLE ON ROUTE 128 EXTENSION IN THE CITY OF GLOUCESTER AS THE HOWARD BLACKBURN MEMORIAL CIRCLE.

Be it enacted, etc., as follows:

SECTION 1. The traffic circle on the new extension of route 128 in the city of Gloucester, in the vicinity of Maplewood avenue, shall be designated as the Howard Blackburn Memorial Circle, and a suitable marker bearing said designation shall be erected and maintained at said circle by the state department of public works.

SECTION 2. This act shall take effect upon its passage.

Approved July 17, 1959.

Chap. 420. AN ACT AUTHORIZING THE CITY OF LYNN TO BORROW MONEY FOR SCHOOL PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of constructing school buildings in the Aborn School and Hood School areas, and originally equipping and furnishing such buildings, the city of Lynn may borrow from time to time, within a period of five years from the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, nine hundred and fifty thousand dollars, and may issue bonds or notes therefor which shall bear on their face the words "Lynn School Loan, Act of 1959". Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than twenty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws, including the limitation contained in the first paragraph of section seven thereof.

SECTION 2. This act shall take effect upon its passage.

Approved July 17, 1959.

Chap. 421. AN ACT AUTHORIZING THE COMMONWEALTH TO CONVEY CERTAIN LAND IN THE TOWN OF PROVINCETOWN TO THE CAPE COD PILGRIM MEMORIAL ASSOCIATION OF PROVINCE-TOWN.

Be it enacted, etc., as follows:

The commissioner of public works is hereby authorized and directed, in the name and on behalf of the commonwealth, to convey to the Cape Cod Pilgrim Memorial Association of Provincetown, a charitable corporation duly established by law, a certain parcel of land in the town of Provincetown shown on a plan entitled "Plan of Land taken by the Provincetown Terecentenary Commission, Department of Public Works, Division of Waterways and Public Lands, Scale 40 ft. = 1 inch, Survey Date April 1927", and bounded and described as follows:— Beginning at a point on the southeasterly side of a town way, as shown on said plan, and running northeasterly 476.82 feet on the southeasterly side of said town way; thence turning and running in a southeasterly direction along land now or formerly of Victor Viegas 40

feet; thence northeasterly along land of said Viegas 36 feet; thence southeasterly along land now or formerly of John G. Santos 84 feet; thence northeasterly 2 feet; thence southeasterly along land now or formerly of Mannel R. Luiz 30 feet; thence northeasterly 32 feet to land now or formerly of Rodo S. Remigio; thence southeasterly by land of said Remigio 54 feet, and by land now or formerly of Mary W. Oliver et al, 60 feet; thence southwesterly 15.2 feet; thence turning at an angle of $211^{\circ} 03'$ and running 20.8 feet to a point on the northeasterly side of the East Approach as shown on said plan; thence in a general westerly direction 406.29 and 89.47 feet to land now or formerly of H. S. Cook; thence along the easterly boundary line of land of said Cook 109.57 feet to the point of beginning; containing 95,382 square feet, more or less.

Said conveyance of said land shall be in consideration of an agreement by said association to construct and maintain thereon a free public parking area; and if at any time said parcel of land shall cease to be used by said association as a free public parking area, it shall thereupon revert to and revest in the commonwealth.

The deed conveying the above described parcel of land to said association for use as a free public parking area shall be approved as to its form by the attorney general.

Approved July 17, 1959.

Chap. 422. AN ACT RELATIVE TO THE ADOPTION OR AMENDMENT OF REGULATIONS BY THE DEPARTMENT OF PUBLIC HEALTH TO PREVENT POLLUTION OR CONTAMINATION OF THE ATMOSPHERE AND THE EFFECTIVE DATE OF SUCH REGULATIONS.

Be it enacted, etc., as follows:

Chapter 111 of the General Laws is hereby amended by striking out section 142A, inserted by section 3 of chapter 672 of the acts of 1954, and inserting in place thereof the following section:—*Section 112A.* The department may from time to time, subject to the approval of the governor and council, after a hearing adopt or amend regulations to prevent pollution or contamination of the atmosphere, effective upon filing with the state secretary as provided in section thirty-seven of chapter thirty, or at such later date as may be specified by the department. Such filing shall create a presumption, which may be rebutted, of compliance with the requirements of section two of chapter thirty A in the adoption or amendment of such regulations. Any municipality, corporation or person, which, after due notice, continues to violate any such regulation shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than ten nor more than fifty dollars for the first offence, and not less than twenty nor more than one hundred dollars for every succeeding offence. The supreme judicial or superior court, upon the application of the department, or upon the application of any person interested, with the approval of the department, may enforce such regulations, and restrain the use or occupation of the premises or such portion thereof as the department may specify until such regulations have been complied with.

Approved July 17, 1959.

Chap. 423. AN ACT REGULATING THE STORAGE AND TRANSPORTATION OF FROZEN FOOD.

Be it enacted, etc., as follows:

Chapter 94 of the General Laws is hereby amended by inserting after section 73 under the caption FROZEN FOOD the following section:—*Section 73A.* No person engaged in the business of storing frozen food or transporting such food shall store or transport such food within the commonwealth unless it is stored or transported under refrigeration which shall insure good keeping qualities and under temperatures and holding conditions approved by the director of the division of food and drugs of the department of public health. Said director may, after public hearing, make regulations for the storing and transportation of frozen food, including temperature control, sanitation and other matters, in accordance with recognized standards necessary for the protection of the public health and the preservation of such food in wholesome condition. The term “frozen food”, as used in this section, shall include food of any kind which has been preserved by a process of freezing. Nothing in this section shall be construed to apply to delivery of such food by a retailer to the purchaser.

Whoever violates any provision of this section or of any regulation made hereunder shall be punished by a fine of not more than one hundred dollars for the first offense, and not less than one hundred dollars nor more than five hundred dollars for each subsequent offense.

Approved July 17, 1959.

Chap. 424. AN ACT PROVIDING LIFE TENURE FOR JAMES J. GLOSTER, INCUMBENT OF THE OFFICE OF BUILDING INSPECTOR OF THE TOWN OF AGAWAM.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of James J. Gloster, incumbent of the office of building inspector of the town of Agawam, shall, upon the effective date of this act, be unlimited, but he may be removed therefrom for cause after hearing in the manner provided by section forty-three of chapter thirty-one of the General Laws.

SECTION 2. This act shall be submitted to the voters of the town of Agawam at the annual town meeting in the year nineteen hundred and sixty in the form of the following question, which shall be placed upon the official ballot to be used for the election of town officers at said meeting:—“Shall an act passed by the General Court in the year nineteen hundred and fifty-nine, entitled ‘An Act providing life tenure for James J. Gloster, incumbent of the office of building inspector of the town of Agawam’, be accepted?” If a majority of the votes in answer to said question is in the affirmative, this act shall take full effect, but not otherwise.

Approved July 17, 1959.

Chap. 425. AN ACT RELATIVE TO THE APPOINTMENT OF A PLUMBING INSPECTOR IN THE CITY OF MALDEN.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provisions of law to the contrary, the mayor and city council of the city of Malden may appoint and remove in accordance with the civil service laws and rules a plumbing inspector who shall be a practical plumber and shall have had practical experience either as a master plumber or a journeyman, continuously, during five years next preceding his appointment. Said mayor and city council shall fix his compensation. Said plumbing inspector shall inspect all plumbing in process of construction, alteration or repair for which permits are granted within the city, and shall, notwithstanding any provision of law or any ordinance to the contrary, report to the mayor and city council violations of any law, ordinance, rule or regulation relative to plumbing; and shall perform such other appropriate duties as may be required by the ordinances of said city.

Thomas Cunningham, incumbent of the office of inspector of plumbing in said city, shall continue to hold office without interruption of his civil service or other rights, but shall otherwise be subject to the provisions of this section.

SECTION 2. This act shall take full effect upon its acceptance by vote of the city council of the city of Malden, subject to the provisions of its charter, but not otherwise.

Approved July 17, 1959.

Chap. 426. AN ACT INCLUDING CERTAIN HANDICAPPED CHILDREN IN THE DEFINITION OF DEPENDENTS UNDER THE LAW RELATIVE TO CONTRIBUTORY GROUP GENERAL OR BLANKET INSURANCE FOR PERSONS IN THE SERVICE OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. Section 2 of chapter 32A of the General Laws is hereby amended by striking out paragraph (d), as appearing in section 1 of chapter 628 of the acts of 1955, and inserting in place thereof the following paragraph:—

(d) "Dependents", an employee's spouse, his unmarried children under nineteen years of age, and any child nineteen years of age or over who is mentally or physically incapable of earning his own living, provided that an additional premium is paid for the coverage of such handicapped child.

SECTION 2. Paragraph (a) of section 8 of said chapter 32A, as so appearing, is hereby amended by adding at the end the following sentence:—The commonwealth shall also contribute fifty per cent of any additional premium which may be required for coverage of an employee's dependent child who is nineteen years of age or over and mentally or physically incapable of earning his own living.

Approved July 17, 1959.

Chap. 427. AN ACT AUTHORIZING THE FORMATION OF A REGIONAL SCHOOL DISTRICT FOR VOCATIONAL EDUCATION BY THE CITY OF NORTH ADAMS AND CERTAIN TOWNS.

Be it enacted, etc., as follows:

SECTION 1. Section 3 of chapter 518 of the acts of 1958 is hereby amended by striking out clause (c), and by adding at the end the following paragraph:—

The type of regional district school or schools shall be a vocational high school or schools consisting of grades nine through twelve, inclusive, which may offer vocational education notwithstanding that one or more of the towns may have previously joined a regional school district or districts providing for vocational education. When the district has been organized and its school is available for use, no city or town belonging to the district and no other regional school district of which such city or town is a member shall offer vocational education except with the approval of the commissioner of education. Said commissioner shall not give such approval if in his opinion it would involve unnecessary duplication of facilities. As used in this section, vocational education includes such kinds of education as may be provided by cities or towns pursuant to chapter seventy-four of the General Laws.

SECTION 2. Said chapter 518 is hereby further amended by inserting after section 14 the following two sections:—*Section 14A.* The provisions of sections sixteen to twenty-eight, inclusive, of chapter forty-four of the General Laws shall, so far as pertinent, apply to the regional school district, but the provisions of said section sixteen relating to the countersigning of bonds and notes and the provisions of section twenty-four of said chapter forty-four relating to the countersigning and approval of notes and the certificates of the clerk relating thereto shall not apply to said district.

Section 14B. Where the context permits, references in this act to any other portions of this act and to other statutes shall be taken to refer to such other portions or statutes as heretofore or hereafter amended.

SECTION 3. The organization of a regional school district planning board by the city of North Adams and the towns of Adams, Williamstown, Clarksburg, Florida, Savoy, Monroe, Heath, Charlemont and Rowe under the provisions of chapter five hundred and eighteen of the acts of nineteen hundred and fifty-eight is hereby validated.

SECTION 4. This act shall take effect upon its passage.

Approved July 17, 1959.

Chap. 428. AN ACT MAKING ANY CREDIT UNION DOING BUSINESS IN THE COMMONWEALTH ELIGIBLE TO BECOME A MEMBER OF THE CENTRAL CREDIT UNION FUND, INC.

Be it enacted, etc., as follows:

Chapter 216 of the acts of 1932, is hereby amended by striking out section 3, as amended by chapter 46 of the acts of 1958, and inserting in place thereof the following section:—*Section 3.* Any credit union

doing business in the commonwealth may become a member of the corporation by subscribing for, purchasing and holding not less than five shares of its capital stock, but no member credit union shall invest in said shares more than five per cent of its total assets. A credit union may withdraw as a member of the corporation in such manner as the by-laws of the corporation shall prescribe.

Approved July 23, 1959.

Chap. 429. AN ACT AUTHORIZING THE CITY OF BOSTON TO BORROW MONEY FOR REMODELING, RECONSTRUCTING AND MAKING EXTRAORDINARY REPAIRS TO A CERTAIN SCHOOL OWNED BY SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. The city of Boston, by a two-thirds vote, as defined in section one of chapter forty-four of the General Laws, may borrow from time to time not exceeding, in the aggregate, one million dollars, for remodeling, reconstructing, or making extraordinary repairs to, Roxbury Memorial High School in order to make it suitable for use as Boston Technical High School, and may issue bonds or notes therefor. Such bonds or notes shall bear on their face the words, City of Boston, Extraordinary School Repairs Loan, Act of 1959. Each authorized issue shall constitute a separate loan and shall be paid in not more than ten years from the date of issue. Debt incurred under this section shall not be included in determining the limit of indebtedness of said city as established by law, but shall, except as provided herein, be subject to the provisions, applicable to said city, of chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof.

SECTION 2. This act shall take effect upon its passage.

Approved July 23, 1959.

Chap. 430. AN ACT AUTHORIZING THE COUNTY TREASURER FOR THE COUNTY OF PLYMOUTH TO PAY A SUM OF MONEY TO H. F. JOHNSON & SONS.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, or the failure to comply with the provisions of sections forty-four A to forty-four L, inclusive, of chapter one hundred and forty-nine of the General Laws, the treasurer of the county of Plymouth is hereby authorized to pay, from funds available, the sum of two thousand three hundred and fifty dollars to H. F. Johnson & Sons of Brockton for labor and materials furnished in making certain repairs on the superior court court house in the city of Brockton under a contract dated December sixteenth, nineteen hundred and fifty-eight and entered into between the county commissioners of said county and said H. F. Johnson & Sons.

SECTION 2. This act shall take effect upon its passage.

Approved July 23, 1959.

Chap. 431. AN ACT REGULATING THE DISPOSAL OF CONTAINERS USED FOR REFRIGERATIVE PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 271 of the General Laws, as amended by chapter 107 of the acts of 1959, is hereby further amended by striking out section 46 and inserting in place thereof the following section:—*Section 46.* Whoever fails to remove the door or doors from a container originally used for refrigerative purposes before discarding it, or setting it aside for failure to use such container, or before keeping it out of doors for sale or any other purpose in a place accessible to unattended children, shall be punished by a fine of not more than one thousand dollars.

SECTION 2. The commissioner of public safety shall notify in writing the police authorities throughout the commonwealth of the need for diligent enforcement of section forty-six of chapter two hundred and seventy-one of the General Laws as hereby amended.

Approved July 23, 1959.

Chap. 432. AN ACT ESTABLISHING REPRESENTATIVE TOWN GOVERNMENT BY LIMITED TOWN MEETINGS IN THE TOWN OF AUBURN.

Be it enacted, etc., as follows:

SECTION 1. There is hereby established in the town of Auburn a form of representative town government by limited town meetings hereinafter set forth.

SECTION 2. Upon the acceptance of this act by the town, a districting committee, consisting of the selectmen and the registrars of voters, shall divide the town into not less than five voting precincts. Each precinct shall contain not less than eight hundred nor more than two thousand registered voters.

SECTION 3. The number of members of the representative town meeting elected in each precinct shall be approximately in the same ratio to the number of members elected in the town as the number of registered voters in the precinct is to the number of registered voters in the town. The membership in each precinct shall consist of the largest number divisible by three which will result in a total elected membership in the town not exceeding one hundred and twenty.

SECTION 4. The membership of the representative town meeting elected in each precinct shall consist of registered voters other than elected town officials.

SECTION 5. It shall be the duty of the selectmen and the chairman of each board or committee of the town and the head of each town department to attend that part of every representative town meeting at which matters, other than those to be acted upon or determined by ballot, are to be considered.

SECTION 6. The precincts shall be plainly designated and so established as to consist of compact and contiguous territory, and shall be bounded so far as possible by the center line of highways or by other well-defined limits.

SECTION 7. The boundaries of the precincts shall be reviewed and may be wholly or partly revised by the districting committee in November of any year after the expiration of five years following their establishment or revision, or in November of any other year when so directed by vote of a representative town meeting held not later than the twentieth day of October in such year.

SECTION 8. The districting committee shall within thirty days after the establishment or revision of precincts file its report with the town clerk and the assessors, with a map or description of the precincts and the names and addresses of the registered voters in each precinct. It also shall cause to be posted in the town hall a map or description and a list of the registered voters in the precinct as established or revised, and similar information for each precinct shall be posted in at least one public place in the precinct.

SECTION 9. The division of the town into precincts and any revision of precincts shall take effect upon the date of filing of said report with the town clerk. Whenever precincts are established or revised, the town clerk shall give written notice to the secretary of the commonwealth, stating the number and designation of the precincts.

SECTION 10. Meetings of the registered voters of the several precincts for elections and primaries or for voting upon a question to be submitted to all the voters of the town shall be held at the same time and at such place or places as the selectmen shall direct in the warrant for the meeting.

SECTION 11. The nomination of candidates for town meeting members shall be made by nomination papers which shall bear no political designation. Such papers shall be signed by not less than ten registered voters of the precinct in which the candidate resides and shall be filed with the town clerk not later than the last day on which the nomination papers of candidates for other town offices must be filed. They shall be submitted to the registrars of voters and shall be certified in the manner provided by law for the certification of the nomination papers of candidates for town offices. Nomination papers shall not be valid for any candidate whose written acceptance is not endorsed thereon or attached thereto when filed.

SECTION 12. A town meeting member may become a candidate for re-election by giving written notice to the town clerk not later than fourteen days prior to the last day on which the nomination papers of candidates for other town offices must be filed.

SECTION 13. The registered voters in each precinct, at the first annual town election held after the establishment of the precinct, and those in any precinct affected by a revision of precincts at the first annual town election following such revision, shall elect by ballot the number of registered voters in the precinct, determined as herein provided, to be town meeting members of the town.

SECTION 14. The first third of members elected in the order of votes received shall serve for three years, the second third for two years, and the remaining third for one year from the day of the annual town meeting. In case of an equal vote affecting the division into thirds, the members from the precinct shall determine the same by ballot.

SECTION 15. Thereafter, except as otherwise provided herein, the registered voters of each precinct at each annual town election shall elect for the term of three years in like manner such number as is necessary to provide the total number of town meeting members to which the precinct is entitled.

SECTION 16. If two or more candidates for town meeting member receive an equal number of votes, other than for the division into thirds, for deciding their term of office, the remaining members elected in such precinct at the same election shall determine by ballot which of the candidates shall serve as a town meeting member. The terms of office of the town meeting members from any precinct whose boundaries are revised shall cease upon the election of their successors. The town clerk, after every election of town meeting members, shall notify each member by mail of his election.

SECTION 17. If the boundaries of any precinct are revised or any new precinct established there shall be a new election of town meeting members in such precinct at the first annual town election following such a revision.

SECTION 18. The town meeting members shall be elected in conformity with the laws relative to elections, and the provisions of law relating to precinct voting at elections shall apply to all elections and primaries in the town so far as such laws are not inconsistent with this act.

SECTION 19. A town meeting member may resign by filing a written resignation with the town clerk, effective upon the date of filing. A member who removes from the town shall cease to be a member, and a member who removes from one precinct to another may serve only until the next annual town meeting.

SECTION 20. A vacancy in the number of town meeting members from any precinct arising from any cause shall be filled by the unsuccessful candidate receiving the highest number of votes at the preceding election in the precinct and who consents to accept the office. Such candidate shall be deemed to be elected and the town clerk shall give notice of his election upon the filing of his written acceptance. If there be no such candidate willing to accept, then the vacancy shall be filled by the remaining members from the precinct as hereinafter provided.

SECTION 21. Upon petition signed by not less than one third of the town meeting members from the precinct, the town clerk shall call a meeting of the remaining members from the precinct for the purpose of filling the vacancy, notice of which shall be mailed to such members not less than seven days before the time of the meeting.

SECTION 22. A majority of the members from the precinct attending such meeting shall constitute a quorum and shall elect one of their number as chairman and one as clerk. The vote shall be by ballot and a plurality of votes cast shall be necessary for a choice. The chairman and clerk shall count the ballots, and the chairman shall make a certificate of the choice which shall be filed with the town clerk together with a written acceptance of the person so chosen, who thereupon shall be deemed to be elected as a town meeting member.

SECTION 23. A moderator shall be elected by ballot at the annual town meeting when the term of office of a moderator expires, and he

shall serve at all town meetings, except as otherwise provided by law, until a successor is elected and qualified. It shall be his duty to vote whenever the meeting is evenly divided. The nomination and election of a moderator shall be the same as for other elective town officers and any vacancy in the office may be filled by the town meeting members at a meeting held for the purpose. If the moderator is absent, a moderator *pro tem* may be elected by the town meeting members.

SECTION 24. The articles in the warrant for every town meeting which relate to the election of a moderator, town officers, and town meeting members and to referenda and all matters to be acted upon and determined by ballot, shall be acted upon and determined by the registered voters of the town in their respective precincts. All other articles shall be acted upon and determined exclusively by the town meeting members at a meeting held at a time and place specified by the selectmen in the warrant for the meeting, subject to a referendum as herein provided.

SECTION 25. The town clerk shall mail a copy of the warrant to each town meeting member at least seven days before the meeting.

SECTION 26. The members of the town meeting shall be the judge of the election and qualifications of their own members. The members shall receive no compensation for serving as members of the town meeting. Two thirds of the members shall constitute a quorum for the transaction of business. A lesser number may organize temporarily and may adjourn from time to time, but a meeting shall not adjourn beyond the date of an election of town meeting members.

SECTION 27. All representative town meetings shall be open to the public. Any registered voter of the town who is not a town meeting member may, subject to such conditions as the town meeting may determine, speak at least once on any matter at such a meeting, but he shall have no vote.

SECTION 28. A vote of the representative town meeting, either passing or rejecting a measure, under any article in the warrant shall not be operative until the expiration of seven days exclusive of Sundays and holidays, from the dissolution of the meeting other than the following: (a) to adjourn; (b) to appropriate money for the payment of principal and interest of bonds and notes of the town; (c) to authorize the temporary borrowing of money in anticipation of revenue; (d) to enact an emergency measure required for the immediate preservation of the public peace, health or safety and so declared by a preamble and adopted by a two thirds vote of the town meeting members present and voting thereon.

SECTION 29. If within such period of seven days a petition signed by not less than three per cent of the registered voters in each precinct is filed with the selectmen asking that any question involved in such a vote be submitted to the voters of the town at large, then the selectmen within five days thereafter shall call a special meeting to be held within ten days following such call for the sole purpose of presenting the question to the voters at large.

SECTION 30. Any question submitted shall be stated upon the ballot substantially in the same language and form in which it was *finally* presented to the representative town meeting by the moderator as recorded in the records of the meeting.

SECTION 31. The polls for voting upon such a question shall be opened at two o'clock in the afternoon and closed not earlier than eight o'clock in the evening. The vote shall be taken by ballot and the check list used in the several precincts in the same manner as for the election of town officers. A question submitted shall be determined by the same proportion of votes as would be required if the question were determined by a representative town meeting, but an action of the representative town meeting shall not be reversed unless at least twenty per cent of all the registered voters shall so vote.

SECTION 32. If such a petition for a referendum is not filed within seven days the vote of the representative town meeting shall become operative and effective upon the expiration of that period.

SECTION 33. The town shall have the capacity to act through and to be bound by the action of its town meeting members, who when convened from time to time shall constitute a representative town meeting. The representative town meeting shall have and may exercise all powers vested in the municipal corporation so far as is consistent with the provisions of this act.

SECTION 34. Action by a representative town meeting in conformity with laws now or hereafter applicable to the transaction of town affairs in town meeting shall have the same force and effect as if taken in a town meeting open to all voters of the town, as organized and conducted before the establishment of representative town government.

SECTION 35. This act shall not abridge the right of the inhabitants of the town to hold general meetings, as secured to them by the constitution of the commonwealth, nor confer upon any representative town meeting the power finally to commit the town to any measure affecting its municipal existence or substantially changing its form of government without action thereon by the voters at large, using the ballot and check list therefor.

SECTION 36. This act shall be submitted to the registered voters of the town of Auburn at a special town meeting to be held during the last ten days of October, nineteen hundred and fifty-nine—said meeting to be called by the selectmen in the manner prescribed by law. The vote shall be taken by ballot in accordance with the provisions of law, so far as the same shall be applicable. The question to be placed upon the ballot shall be:—"Shall an act passed by the General Court in the year nineteen hundred and fifty-nine entitled 'An act establishing representative town government by limited town meetings in the town of Auburn' be accepted by this town?"

SECTION 37. If this act is not accepted by the registered voters of the town when first submitted, it may again be submitted for acceptance in like manner from time to time at any town election within five years thereafter, upon petition signed by at least three per cent of the registered voters of the town.

SECTION 38. This act shall take effect upon its acceptance by a majority of the voters voting thereon for all purposes incidental to the next annual town election, and it shall take full effect beginning with said election.

Approved July 27, 1959.

Chap. 433. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND SIXTY, FOR THE MAINTENANCE OF DEPARTMENTS, BOARDS, COMMISSIONS, INSTITUTIONS AND CERTAIN ACTIVITIES OF THE COMMONWEALTH, FOR INTEREST, SINKING FUND AND SERIAL BOND REQUIREMENTS, AND FOR CERTAIN PERMANENT IMPROVEMENTS.

Be it enacted, etc., as follows:

SECTION 1. To provide for the maintenance of the several departments, boards, commissions and institutions, of sundry other services, and for certain permanent improvements, and to meet certain requirements of law, the sums set forth in section two, for the several purposes and subject to the conditions specified in said section two, are hereby appropriated from the funds designated in said section, subject to the provisions of law regulating the disbursement of public funds and the approval thereof, for the fiscal year ending June thirtieth, nineteen hundred and sixty, in this act referred to as the year nineteen hundred and sixty, or for such period as may be specified.

SECTION 2.

STATE PURPOSES APPROPRIATIONS.

APPROPRIATIONS MADE FROM THE GENERAL FUND.

Service of the Legislature.

Senate.

Item		
0101-01	For the compensation of senators, prior appropriation continued	\$221,000 00
0101-02	For the salary of the clerk of the senate	12,000 00
0101-03	For the salary of the assistant clerk of the senate	9,500 00
0101-04	For clerical assistance to the clerk of the senate, including not more than two permanent positions	12,480 00
0101-05	For the salary of the chaplain of the senate	3,960 00
0101-06	For personal services of the counsel to the senate and assistants, including not more than four permanent positions	44,640 00
0101-07	For clerical and other assistance including expenses of the senate committee on rules, including not more than seven permanent positions; provided, that notwithstanding any provision of law to the contrary, the present clerk of the senate committee on rules may continue to serve in said office subject to the will of the senate	52,130 00
0101-30	For expenses of senators, including travel, prior appropriation continued	34,000 00
0101-51	For stationery for the senate, purchased by and with the approval of the clerk	600 00
0101-53	For expenses of the counsel to the senate	1,500 00
0101-54	For expenses of the senate clerk's office	200 00
0101-56	For the expenses of the senate committee on ways and means, including not more than three permanent positions, prior appropriation continued	18,000 00
0101-60	For traveling and such other expenses of the committees of the senate as may be authorized by order of the senate	1,000 00
Total		\$411,010 00

House of Representatives.

Item		
0102-01	For the compensation of representatives, prior appropriation continued	\$1,263,600 00
0102-02	For the salary of the clerk of the house of representatives	12,000 00
0102-03	For the salary of the assistant clerk of the house of representatives	9,500 00
0102-04	For clerical assistance to the clerk of the house of representatives, including not more than four permanent positions	26,640 00
0102-05	For the salary of the chaplain of the house of representatives	3,960 00
0102-06	For personal services of the counsel to the house of representatives and assistants, including not more than seven permanent positions	85,000 00
0102-07	For clerical and other assistance to the house committee on rules, including not more than fourteen permanent positions	75,440 00
0102-08	For clerical and other assistance to the house committee on ways and means, including not more than eight permanent positions, prior appropriation continued	56,700 00
0102-30	For expenses of representatives, including travel, prior appropriation continued	225,000 00
0102-51	For stationery for the house of representatives, purchased by and with the approval of the clerk	1,300 00
0102-52	For expenses of the committee on rules on the part of the house of representatives for the year nineteen hundred and sixty and the previous year, prior appropriation continued	7,000 00
0102-53	For expenses of the counsel to the house of representatives	1,500 00
0102-54	For expenses of the clerk's office, house of representatives	500 00
0102-56	For expenses of the house committee on ways and means, prior appropriation continued	15,000 00
0102-60	For traveling and such other expenses of the committees of the house of representatives as may be authorized by order of the house of representatives	1,500 00
Total		\$1,784,640 00

Sergeant-at-Arms.

0103-01	For the salary of the sergeant-at-arms	\$8,780 00
0103-02	For clerical and other assistance employed by the sergeant-at-arms, including not more than six permanent positions	33,540 00
0103-03	For the salaries of the doorkeepers of the senate and house of representatives, with the approval of the sergeant-at-arms, including not more than two permanent positions	14,640 00
0103-04	For the salaries of assistant doorkeepers of the senate and house of representatives and of general court officers, with the approval of the sergeant-at-arms, including not more than thirty-six permanent positions	213,820 00
0103-05	For compensation of the pages of the senate and house of representatives, with the approval of the sergeant-at-arms, including not more than twenty-four permanent positions	64,220 00
0103-06	For the salaries of clerks employed in the legislative document room, including not more than three permanent positions	27,360 00

Item		
0103-51	For contingent expenses of the senate and house of representatives and necessary expenses in and about the state house, with the approval of the sergeant-at-arms, prior appropriation continued	\$21,200 00
0103-52	For the payment of witness fees to persons summoned to appear before committees of the general court, and for expenses incidental to summoning them, with the approval of the sergeant-at-arms	300 00
	Total	\$383,860 00

Legislative Research Council.

0104-01	For expenses of the legislative research council, prior appropriation continued	\$3,000 00
0104-02	For personal services and other expenses of the legislative research bureau	80,000 00
	Total	\$83,000 00

Recodification Counsel.

0105-01	For expenses of the recodification counsel, as authorized by section fifty-five A of chapter three of the General Laws, including not more than four permanent positions	\$31,120 00
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Other Expenses.

0110-02	For printing, binding and paper ordered by the senate and house of representatives, or by concurrent order of the two branches, with the approval of the clerks of the respective branches, prior appropriation continued	\$200,000 00
0110-04	For expenses in connection with the publication of the bulletin of committee hearings and of the daily list, with the approval of the joint committee on rules, including not more than two permanent positions	50,000 00
0110-05	For telephone service, prior appropriation continued	30,000 00
0110-12	For the emergency services of a physician, for medical supplies in the state house and for expenses including the purchase of equipment in connection therewith, subject to the approval of the joint committee on rules; provided, that section twenty-one of chapter thirty of the General Laws shall not apply to the payments made under this item	5,200 00
0110-22	For the preparation and printing of a descriptive pamphlet of the senate chamber and adjacent rooms	600 00
0110-30	For traveling and such other expenses of joint committees of the general court as may be authorized by joint order of the general court	2,000 00
	Total	\$287,800 00

Special Investigations.

0258-01	For an investigation and study of state needs and problems, as authorized by chapter eighty-six of the resolves of nineteen hundred and fifty-eight	\$5,000 00
	Total, Legislative	\$2,986,430 00

Service of the Judiciary.*Supreme Judicial Court.*

Item		
0301-01	For the salaries of the chief justice and of the six associate justices	\$155,000 00
0301-02	For traveling allowances and expenses	2,700 00
0301-03	For the salary of the clerk for the commonwealth	14,300 00
0301-04	For clerical assistance to the clerk	4,473 00
0301-05	For law clerks and clerical assistance for the justices	65,852 00
0301-06	For office supplies, services and equipment	7,500 00
0301-07	For the salaries of the officers and messengers	6,886 00
0301-08	For the commonwealth's part of the salary of the clerk for the county of Suffolk	1,500 00
0301-10	For facilities provided by the Social Law Library	3,500 00
0301-12	For the service of the executive secretary	29,815 00
0302-01	For the salary of the reporter of decisions	10,000 00
0302-02	For the service of the reporter of decisions, including not more than three permanent positions	18,275 00
Total		\$319,801 00

Superior Court.

0305-01	For the salaries of the chief justice and of the thirty-seven justices	\$710,000 00
0305-02	For traveling allowances and expenses, prior appropriation continued	38,000 00
0305-03	For the salary of the assistant clerk of Suffolk county	1,500 00
0305-04	For expenses authorized by section twenty-eight of chapter two hundred and twelve of the General Laws	37,500 00
0305-14	For the compensation of probation officers, including not more than forty permanent positions	290,000 00
0305-15	For personal services and expenses of the office of the supervisor of probation	6,033 00
Total		\$1,083,033 00

Judicial Council.

0308-01	For the service of the judicial council	\$8,000 00
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Administrative Committee of District Courts.

0310-01	For the service of the administrative committee of district courts	\$14,000 00
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Administrative Committee of Probate and Insolvency Courts.

0320-01	For the compensation of judges of probate when acting for other judges of probate	\$5,000 00
0320-02	For expenses of judges of probate when acting for other judges of probate	1,500 00
0320-03	For reimbursing officials for premiums paid for procuring sureties on their bonds, as provided by law	500 00
0320-04	For expenses of the administrative committee of probate courts	500 00
Total		\$7,500 00

Probate and Insolvency Courts.

For the salaries of judges of probate, registers of probate, assistant registers and clerical assistance to registers of the several counties:

Item	
Barnstable:	
0321-01	Judge of probate \$11,500 00
0321-02	Register 7,150 00
0321-03	Assistant register 4,950 00
0321-04	Clerical assistance to register, including not more than four permanent positions 12,656 00
Berkshire:	
0322-01	Judge of probate 11,500 00
0322-02	Register 7,700 00
0322-03	Assistant register 5,500 00
0322-04	Clerical assistance to register, including not more than five permanent positions 17,622 00
Bristol:	
0323-01	Two judges of probate 26,000 00
0323-02	Register 9,350 00
0323-03	Two assistant registers 12,650 00
0323-04	Clerical assistance to register, including not more than fourteen permanent positions 49,322 00
Dukes:	
0324-01	Judge of probate 4,500 00
0324-02	Register 4,950 00
0324-04	Clerical assistance to register, including not more than one permanent position 3,146 00
Essex:	
0325-01	Two judges of probate 26,000 00
0325-02	Register 9,900 00
0325-03	Three assistant registers 19,800 00
0325-04	Clerical assistance to register, including not more than sixteen permanent positions 56,809 00
Franklin:	
0326-01	Judge of probate 11,500 00
0326-02	Register 7,150 00
0326-03	Assistant register 4,950 00
0326-04	Clerical assistance to register, including not more than two permanent positions 7,254 00
Hampden:	
0327-01	Two judges of probate 26,000 00
0327-02	Register 9,350 00
0327-03	Three assistant registers 18,150 00
0327-04	Clerical assistance to register, including not more than thirteen permanent positions 47,279 00
Hampshire:	
0328-01	Judge of probate 11,500 00
0328-02	Register 7,150 00
0328-03	Assistant register 4,950 00
0328-04	Clerical assistance to register, including not more than two permanent positions 6,969 00
Middlesex:	
0329-01	Three judges of probate 43,500 00
0329-02	Register 11,550 00
0329-03	Five assistant registers 34,650 00
0329-04	Clerical assistance to register, including not more than forty-three permanent positions 149,294 00
Nantucket:	
0330-01	Judge of probate 4,500 00
0330-02	Register 4,950 00
0330-04	Clerical assistance to register, including not more than one permanent position 3,146 00

Item		
	Norfolk:	
0331-01	Two judges of probate	\$29,000 00
0331-02	Register	9,900 00
0331-03	Three assistant registers	19,800 00
0331-04	Clerical assistance to register, including not more than fifteen permanent positions	53,439 00
	Plymouth:	
0332-01	Judge of probate	11,500 00
0332-02	Register	7,700 00
0332-03	Assistant register	5,500 00
0332-04	Clerical assistance to register, including not more than eight permanent positions	27,016 00
	Suffolk:	
0333-01	Three judges of probate	45,750 00
0333-02	Register	11,550 00
0333-03	Five assistant registers	34,650 00
0333-04	Clerical assistance to register, including not more than forty-nine permanent positions	175,878 00
	Worcester:	
0334-01	Two judges of probate	26,000 00
0334-02	Register	9,900 00
0334-03	Four assistant registers	25,300 00
0334-04	Clerical assistance to register, including not more than fifteen permanent positions	53,163 00
Total		\$1,260,843 00

Land Court.

0340-01	For the salaries of the judge, associate judges and the recorder, including not more than four permanent positions	\$71,250 00
0340-02	For the service of the land court, including not more than forty-three permanent positions	269,068 00
Total		\$340,318 00

Pensions for Certain Retired Justices.

0345-01	For pensions of retired judges, as authorized by law	\$150,000 00
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District Attorneys.

0350-01	For the salaries of the district attorney and assistants for the Suffolk district, including not more than twenty-six permanent positions	\$173,801 00
0351-01	For the salaries of the district attorney and assistants for the northern district, including not more than twelve permanent positions	82,500 00
0352-01	For the salaries of the district attorney and assistants for the eastern district, including not more than five permanent positions	27,300 00
0354-01	For the salaries of the district attorney and assistants for the southern district, including not more than four permanent positions	25,900 00
0355-01	For the salaries of the district attorney and assistants for the middle district, including not more than five permanent positions	26,200 00
0356-01	For the salaries of the district attorney and assistants for the western district, including not more than four permanent positions	20,400 00

Item		
0357-01	For the salaries of the district attorney and assistant for the northwestern district, including not more than two permanent positions	\$10,100 00
0358-01	For the salaries of the district attorney and assistants for the Norfolk district, including not more than four permanent positions	19,800 00
0359-01	For the salaries of the district attorney and assistants for the Plymouth district, including not more than four permanent positions	19,300 00
0365-01	For traveling expenses necessarily incurred by the district attorneys, except in the Suffolk district, including expenses incurred in previous years	5,000 00
Total		\$410,301 00

Committee on Probation.

0370-01	For the office of the commissioner of probation, including not more than fifty permanent positions	\$242,560 00
0370-02	For compensation and expenses of the members of the committee on probation, as authorized by section ninety-nine A of chapter two hundred and seventy-six of the General Laws	1,700 00
Total		\$244,260 00

Board of Bar Examiners.

0380-01	For the service of the board, including not more than six permanent positions	\$37,575 00
Total, Judiciary		\$3,875,631 00

Service of the Executive Department.

Governor.

0401-01	For the salary of the governor	\$20,000 00
0401-02	For the salaries of officers and employees in the governor's office	140,000 00
0401-03	For postage, printing, office and other contingent expenses, including travel of the governor	40,000 00
0401-04	For maintenance expenses of the governor's automobile	1,800 00
Total		\$201,800 00

Lieutenant-Governor.

0402-01	For the salary of the lieutenant-governor	\$11,000 00
0402-02	For personal services for the lieutenant-governor's office	18,400 00
Total		\$29,400 00

Governor's Council.

0403-01	For the salaries of the eight councillors	\$24,000 00
0403-02	For personal services for the council	32,390 00
0403-03	For postage, printing, stationery, traveling and contingent expenses of the governor and council	\$14,000 00
0403-05	For travel and expenses of the lieutenant-governor and council from and to their homes	4,000 00
Total		\$74,390 00

Extraordinary Expenses.

Item		
0405-01	For the cost, not to exceed fifteen thousand dollars, of entertainment of distinguished visitors to the commonwealth, provided that no expenditure shall be allowed for a party exceeding fifty visitors; for the payment of extraordinary expenses not otherwise provided for; and for transfers to appropriation accounts where the amounts otherwise available are insufficient, provided that requests for such transfers shall be referred to the commission on administration and finance which, after investigation, shall submit for the approval of the governor and council its written recommendation as to the amount of funds required, with facts pertinent thereto	\$100,000 00

Civil Defense Agency.

0406-01	For the service of the civil defense agency, as authorized by chapter six hundred and thirty-nine of the acts of nineteen hundred and fifty, as amended, and chapter five hundred and twenty-two of the acts of nineteen hundred and fifty-one, prior appropriation continued	\$250,000 00
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Total, Executive Department \$655,590 00

Service of the Military Division.*Adjutant General.*

0420-01	For the salary of the adjutant general	\$16,200 00
0420-02	For the office of the adjutant general, including not more than thirty-eight permanent positions	187,860 00
	Militia:	
0421-01	For allowances to companies and other administrative units, to be expended under the direction of the adjutant general	192,000 00
0421-02	For officers' uniform allowances, as authorized by paragraph (c) of section one hundred and twenty of chapter thirty-three of the General Laws	76,000 00
0421-05	For certain camps of instruction	50,000 00
0421-07	For transportation of officers and noncommissioned officers to and from military meetings and regimental and battalion drills	3,000 00
0421-13	For compensation for special and miscellaneous duty, including not more than seven permanent positions, and for expenses of operation of the twenty-sixth division	43,692 00
0421-14	For compensation for accidents and injuries sustained in the performance of military duty	2,000 00
0421-15	To cover certain small claims for damages to private property arising from military maneuvers	2,000 00
0421-17	For the military reservation, located in Barnstable county, including compensation of the commissioner	579 00
0421-21	For the service of the air national guard, including not more than one permanent position	11,637 00
0421-60	For the operation of the war records project, so-called, including not more than seven permanent positions	25,570 00
0421-61	For expenses for maintaining headquarters in the state house of the department of Massachusetts United Spanish War Veterans, with the approval of the department commander and the adjutant general	1,500 00

Total \$612,038 00

State Quartermaster.

Item		
0423-01	For the office of the state quartermaster . . .	\$3,850 00
0423-02	For the operation of armories of the first class, including not more than ninety permanent positions . . .	676,000 00
	Militia:	
0424-01	For reimbursement for rent and maintenance of armories not of the first class . . .	24,320 00
0424-02	For the Camp Curtis Guild rifle range, including not more than seven permanent positions . . .	29,951 00
0424-05	For certain storage and maintenance facilities, including not more than twenty-eight permanent positions . . .	106,753 00
0424-08	For certain national guard aviation facilities, including not more than nine permanent positions . . .	37,516 00
	Total	<u>\$878,390 00</u>

Armory Commission.

0428-01	For compensation of one member and for expenses of the armory commission . . .	\$200 00
	Notwithstanding the provisions of chapter thirty of the General Laws, certain military personnel in the military division may be paid salaries according to military pay grades, so-called.	
	Total, Military Division	<u>\$1,490,628 00</u>

Boards and Commissions serving under Governor and Council.

Commission on Administration and Finance.

0440-32	For awards to state employees to be granted as provided by chapter five hundred and four of the acts of nineteen hundred and fifty-three, prior appropriation continued.	
0441-01	For the office of the commissioner of administration, including not more than fourteen permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of one hundred and six thousand and sixty-one dollars from the Highway Fund . . .	\$216,637 00
0441-03	For telephone service in the state house, prior appropriation continued . . .	160,000 00
0441-04	For the personal expenses of the governor while living in the vicinity of Boston, with the approval of the commissioner of administration . . .	10,000 00
0442-01	For the bureau of the comptroller, including not more than one hundred and seventeen permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of one hundred and seventy-eight thousand two hundred and ninety-four dollars from the Highway Fund . . .	594,312 00
0443-01	For the bureau of the budget commissioner, including not more than fourteen permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of thirty-two thousand two hundred dollars from the Highway Fund . . .	90,334 00
0444-01	For the bureau of the purchasing agent, including not more than seventy-four permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of one hundred and seven thousand six hundred and forty-five dollars from the Highway Fund . . .	358,816 00
0444-02	For the purchase of paper used in the execution of the contracts for state printing, other than legislative	85,000 00

Item		
0445-01	For the division of personnel and standardization, including not more than sixty-five permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of one hundred and fifteen thousand five hundred and thirty-nine dollars from the Highway Fund . . .	\$365,130 00
0445-03	For the compensation and expenses of the personnel appeals board, as authorized by section fifty-five of chapter thirty of the General Laws . . .	3,000 00
0446-01	For the division of building construction, including not more than forty permanent positions . . .	336,101 00
0447-01	For the division of hospital costs and finances, including not more than three permanent positions . . .	43,829 00
0448-01	For administration of the state employees' group insurance, including not more than eleven permanent positions . . .	110,522 00
0448-02	For the commonwealth's share of the state employees' group insurance premium; provided, that the group insurance commission shall charge the division of employment security and other departments and divisions which have federal funds allocated to them for this purpose for that portion of the cost of the program as it determines should be borne by such funds, and shall notify the comptroller of the amounts to be transferred, after similar determination, from the several state or other funds, and amounts received in payment of all such charges or such transfers shall be credited to the General Fund, prior appropriation continued . . .	2,950,000 00
	Total	\$5,323,681 00

State Superintendent of Buildings.

0450-01	For the office of the superintendent of buildings and for the maintenance of the state house and Ford building, including not more than one hundred and sixty-nine permanent positions	\$820,209 00
	Total	<u>\$820,209 00</u>

Commissioners on Uniform State Laws.

0457-01	For the expenses of the commissioners \$2,750 00
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State Library.

0459-01	For the service of the state library, including not more than thirty-one permanent positions \$153,940 00
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Art Commission.

0460-01	For expenses of the commission, notwithstanding the limitation of section nineteen of chapter six of the General Laws \$250 00
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Ballot Law Commission.

0461-01	For compensation and expenses of the commissioners, including not more than three permanent positions, prior appropriation continued \$3,117 00
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Massachusetts Commission Against Discrimination.

0462-01	For the service of the Massachusetts Commission Against Discrimination, including not more than fourteen permanent positions \$90,597 00
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State Racing Commission.

Item		
0463-01	For the service of the commission, including not more than eleven permanent positions; provided, that fees paid to veterinarians for services in connection with horse racing shall not exceed twenty-five dollars per diem, and in connection with dog racing shall not exceed twenty dollars per diem	\$152,531 00

Council for the Aging.

0465-01	For expenses of the council for the aging	\$13,689 00
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Mount Greylock Reservation Commission.

0466-01	For the maintenance of the Mount Greylock war memorial	\$1,327 00
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Old State House.

0467-01	For the contribution of the commonwealth toward the maintenance of the old provincial state house	\$1,500 00
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Alcoholic Beverages Control Commission.

0469-01	For the service of the commission, including not more than sixty-five permanent positions	\$415,661 00
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Contributory Retirement Appeal Board.

0471-01	For the service of the contributory retirement appeal board	\$100 00
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Thames River Valley Flood Control Commission.

0473-01	For expenses of the commission, as authorized by chapter six hundred and sixteen of the acts of nineteen hundred and fifty-seven	\$7,500 00
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Connecticut River Valley Flood Control Commission.

0474-01	For expenses of the commission and for reimbursement for loss of taxes, as authorized by chapter six hundred and ninety-two of the acts of nineteen hundred and fifty-one	\$21,800 00
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Merrimack River Valley Flood Control Commission.

0475-01	For expenses of the commission, as authorized by chapter six hundred and eight of the acts of nineteen hundred and fifty-six	\$55,625 00
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New England Board of Higher Education.

0476-01	For expenses of the New England Board of Higher Education, as authorized by chapter five hundred and eighty-nine of the acts of nineteen hundred and fifty-four, and for compensation and expenses of the commissioners, as provided by section four of said chapter	\$25,570 00
0476-02	For payments to medical or dental schools on acceptance of certain Massachusetts students, as authorized by the New England Board of Higher Education, prior appropriation continued	60,000 00

Total **\$85,570 00**

Finance Advisory Board.

0477-01	For expenses of the board	\$100 00
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Medical, Dental and Nursing Scholarship Board.

Item		
0479-01	For expenses of the board, as authorized by section one hundred of chapter six of the General Laws	\$500 00
0479-02	For scholarships, as authorized by section one hundred of chapter six of the General Laws	60,000 00
Total		\$60,500 00

Soldiers' Home in Massachusetts.

0481-01	For the maintenance of the Soldiers' Home in Massachusetts, including not more than five hundred and seventy-two permanent positions	\$2,989,863 00
Total		\$2,989,863 00

Soldiers' Home in Holyoke.

0482-01	For the maintenance of the Soldiers' Home in Holyoke, including not more than two hundred and eight permanent positions	\$1,076,157 00
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State Housing Board.

0483-01	For the service of the board, including not more than thirteen permanent positions; provided, that the compensation and expenses for legal services payable from this item shall be limited to ten thousand dollars and shall be by direction and under the control of the attorney general	\$289,399 00
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Veterans' Bonus Commission.

0484-01	The functions and duties of the veterans' bonus commission are hereby transferred to the jurisdiction of the commissioner of veterans' services.	
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Commissioner of Veterans' Services.

0485-01	For personal services of the commissioner and deputies, including not more than three permanent positions	\$25,540 00
0485-02	For the office of the commissioner, and for the administration of the veterans' bonus act, so called, including not more than eighty-three permanent positions	432,224 00
0485-03	For the payment of annuities to certain disabled veterans, as authorized by sections six A to six C, inclusive, of chapter one hundred and fifteen of the General Laws, prior appropriation continued	107,000 00
Total		\$564,764 00

Massachusetts Aeronautics Commission.

0490-02	For the service of the commission, including not more than nine permanent positions	\$40,244 00
Total		\$40,244 00

Massachusetts Rehabilitation Commission.

0497-01	For the service of the commission, including not more than one permanent position, prior appropriation continued	\$580,376 00
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Massachusetts Commission on Atomic Energy.

0498-01	For the service of the commission	\$10,334 00
Total, Boards and Commissions serving under Governor and Council		\$12,761,584 00

Service of the Secretary of the Commonwealth.

Item		
0501-01	For the salary of the secretary	\$11,000 00
0501-02	For the office of the secretary, including not more than seventy-eight permanent positions	432,225 00
0502-01	For the purchase of certain supplies, equipment and repairs necessary in connection with the reproduction of the manuscript collection designated "Massachusetts Archives", and for the furnishing of photostatic copies of corporation papers, election papers and acts and resolves	7,300 00
0502-02	For the purchase and distribution of copies of certain journals of the house of representatives of Massachusetts Bay from seventeen hundred and fifteen to seventeen hundred and eighty, inclusive, as authorized by chapter four hundred and thirteen of the acts of nineteen hundred and twenty, as amended	2,250 00
Total		<u>\$452,775 00</u>

Printing Laws, etc.

0503-01	For printing and distributing the pamphlet edition and for printing and binding the blue book edition of the acts and resolves of the year nineteen hundred and sixty, prior appropriation continued	\$36,900 00
0503-02	For the printing of reports of decisions of the supreme judicial court, prior appropriation continued	15,500 00
0503-03	For printing and binding public documents, prior appropriation continued	9,000 00
Total		<u>\$61,400 00</u>

Matters Relating to Elections.

0504-01	For preparing, printing and distributing ballots, and other miscellaneous expenses for primary and other elections, including not more than five permanent positions, prior appropriation continued	\$409,148 00
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Medical Examiners.

0505-01	For medical examiners' fees	\$1,500 00
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Commission on Interstate Co-operation.

0506-01	For the service of the commission, including not more than two permanent positions	\$32,443 00
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Total, Department of the Secretary of the Commonwealth \$957,266 00

Service of the Treasurer and Receiver-General.

0601-01	For the salary of the treasurer and receiver-general	\$11,000 00
0601-02	For the office of the treasurer and receiver-general, including not more than fifty-eight permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of one hundred and thirty-nine thousand two hundred and fourteen dollars from the Highway Fund	423,245 00
Total		<u>\$434,245 00</u>

Commissioners on Firemen's Relief.

0602-01	For expenses of administration and for relief disbursed by the commissioners on firemen's relief	\$15,250 00
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State Board of Retirement.

Item		
0604-01	For the administrative office of the board, including not more than twenty permanent positions	\$98,011 00
0604-03	For the payment of the commonwealth's share in financing the state employees' retirement system, as provided by chapter thirty-two of the General Laws, prior appropriation continued; provided, that the comptroller shall transfer to the General Fund the sum of eight hundred and twenty-five thousand dollars from the Highway Fund and the sum of twenty-five thousand dollars from the Inland Fisheries and Game Fund; and, provided further, that amounts of reimbursements received from the metropolitan district commission, in accordance with the provisions of section nine A of chapter twenty-nine of the General Laws, and from the federal government on account of the retirement of employees of the division of employment security and the departments of public health, public welfare and education are to be in addition to this item and to be available for expenditure without further appropriation	\$5,500,000 00
Total		\$5,598,011 00

Emergency Finance Board.

0605-01	For administrative expenses of the board, including not more than one permanent position	\$16,567 00
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World War and Spanish-American War Service.

0606-01	For making payments to soldiers in recognition of service during World War I and the Spanish War, as provided by law	\$750 00
Total, Department of the Treasurer and Receiver-General		\$6,064,823 00

Service of the Auditor of the Commonwealth.

0701-01	For the salary of the auditor	\$11,000 00
0701-02	For the office of the auditor, including not more than forty-two permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of ninety-five thousand four hundred and seventeen dollars from the Highway Fund	303,056 00
0701-23	For an audit of the accounts of the Metropolitan Transit Authority	30,500 00
0701-24	For the expense of an audit of the books of the New Bedford, Woods Hole, Martha's Vineyard and Nantucket Steamship Authority, to be reimbursed by said authority as provided by law	3,400 00
0701-25	For an audit of certain housing authorities, as authorized by section twenty-six NN of chapter one hundred and twenty-one of the General Laws	89,200 00
Total, Department of the Auditor		\$437,156 00

Service of the Department of the Attorney General.

0801-01	For the salary of the attorney general	\$15,000 00
0801-02	For the office of the attorney general, including not more than forty-one permanent positions	336,753 00

Item		
0801-03	For the cost of providing certain legal assistance for the benefit of veterans, their wives and dependents	\$18,600 00
0802-01	For the settlement of certain claims, as provided by law, on account of damages by cars owned by the commonwealth and operated by state employees; provided, that the comptroller shall transfer to the General Fund from the appropriate funds sums equal to the payments made under this item for claims against agencies whose appropriations are derived from other funds	60,000 00
0802-02	For the settlement of certain small claims, as authorized by section three A of chapter twelve of the General Laws	10,000 00
Total, Department of the Attorney General		<u>\$440,353 00</u>

Service of the Department of Agriculture.

0901-01	For the salary of the commissioner	\$10,000 00
0901-02	For the office of the commissioner, including not more than thirty-three permanent positions	200,143 00
0901-11	For expenses of the board of agriculture	500 00
0901-21	For apiary inspection, including not more than one permanent position, and for the reimbursement of owners of diseased bees as provided in section thirty-four of chapter one hundred and twenty-eight of the General Laws	8,474 00
0901-22	For a program of soil conservation, as authorized by chapter one hundred and twenty-eight B of the General Laws	1,835 00
Total		<u>\$220,952 00</u>

Division of Dairying and Animal Husbandry.

0905-01	For the service of the division, including not more than five permanent positions	\$30,728 00
0905-03	For administering the law relative to inspection of barns and dairies by the department of agriculture, including not more than fifteen permanent positions	90,849 00
0905-04	For matching certain Federal funds allocated to the department for a program of quality improvement of dairy products	4,200 00
Total		<u>\$125,777 00</u>

Milk Control Commission.

0906-01 This item postponed.

Division of Livestock Disease Control.

0907-01	For the office of the director, including not more than twenty-eight permanent positions	\$230,819 00
0907-06	For travel, when allowed, of inspectors of animals, incidental expenses of killing and burial of animals, quarantine and emergency services, and for laboratory and veterinary supplies and equipment	1,610 00
0907-07	For reimbursement of owners of tubercular cattle killed, as authorized by section twelve A of chapter one hundred and twenty-nine of the General Laws and in accordance with certain provisions of law and agreements made under authority of section thirty-three of said chapter one hundred and twenty-nine, prior appropriation continued	2,000 00

Item		
0907-08	For the reimbursement of owners of certain brucellosis cattle killed, as authorized by section thirty-six G of chapter one hundred and twenty-nine of the General Laws, prior appropriation continued	\$10,000 00
Total		\$244,429 00

Division of Markets.

0908-01	For the service of the division, including not more than eleven permanent positions	\$102,861 00
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Division of Plant Pest Control and Fairs.

0909-01	For the service of the division, including not more than four permanent positions	\$27,815 00
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State Reclamation Board.

0910-01	For the service of the board, including not more than four permanent positions	\$17,749 00
0910-21	For the control of the greenhead fly, as authorized by section twenty-four of chapter two hundred and fifty-two of the General Laws	6,500 00
Total		\$24,249 00

Total, Department of Agriculture \$746,083 00

Service of the Department of Natural Resources.

1001-01	For the salary of the commissioner	\$10,000 00
1001-02	For the office of the commissioner, including not more than thirty-four permanent positions	189,350 00
1001-04	For the expenses of the natural resources board	500 00
Total		\$199,850 00

Division of Forests and Parks.

1002-01	For the office of the director, including not more than five permanent positions	\$26,858 00
1002-12	For the service of the state fire warden, including not more than twenty-two permanent positions, and for expenses of the Northeastern Forest Fire Protection Commission, as authorized by chapter four hundred and fifty-seven of the acts of nineteen hundred and forty-nine, and for compensation of commissioners, as provided by section four of said chapter	387,231 00
1002-14	For the expenses of forest fire patrol, as authorized by section twenty-eight A of chapter forty-eight of the General Laws	58,245 00
1002-21	For the development of forests, including not more than thirty-eight permanent positions	220,494 00
1002-26	For certain farm forestry projects in co-operation with the United States Forest Service and the county of Berkshire, including not more than one permanent position; provided, that no expenditure shall be made under this item until the county of Berkshire shall have deposited the sum of two thousand two hundred and fifty dollars in the state treasury for this project	8,999 00

Item		
1002-27	For certain farm forestry projects in co-operation with the United States Forest Service and the county of Essex, including not more than one permanent position; provided, that no expenditure shall be made under this item until the county of Essex shall have deposited the sum of two thousand one hundred and forty-seven dollars in the state treasury for this project	\$8,589 00
1002-31	For the suppression of insect pests and shade tree diseases, including gypsy and brown tail moths and Japanese beetles under any general or special law, and including not more than eighteen permanent positions	176,393 00
Total		\$886,809 00

Division of Law Enforcement.

1003-01	For the office of the director, including not more than five permanent positions	\$24,239 00
1003-02	For the administration and enforcement of laws relative to shellfish and other marine fisheries, and for regulating the sale and cold storage of fresh food fish, including not more than twenty-eight permanent positions	194,453 00
1003-03	For conservation officers, including not more than thirty-nine permanent positions; provided, that the comptroller shall transfer to the General Fund a sum equal to fifty per cent of the payments made under this item from the Inland Fisheries and Game Fund, as provided by section three A of chapter one hundred and thirty-one of the General Laws	256,332 00
Total		\$475,024 00

Division of Marine Fisheries.

1004-70	For the service of the office of the director, including not more than eighteen permanent positions, and for the administration of the activities provided for under item 2610-04	\$104,475 00
Total		\$104,475 00

Division of Water Resources.

1010-01	For the service of the division, including not more than six permanent positions	\$75,915 00
Total, Department of Natural Resources		\$1,742,073 00

Service of the Department of Banking and Insurance.

Division of Banks.

1101-01	For the salary of the commissioner	\$12,500 00
1101-02	For the office of the commissioner, including not more than one hundred and sixty-five permanent positions	1,097,731 00
1102-01	For the office of the supervisor of loan agencies, including not more than eleven permanent positions	135,113 00
Total		\$1,245,344 00

Division of Insurance.

Item		
1103-01	For the salary of the commissioner	\$12,500 00
1103-02	For the service of the division, including expenses of the board of appeal and certain other costs of supervising motor vehicle liability insurance, and including not more than two hundred and forty-five permanent positions; provided, that contracts or orders for the purchase of statement blanks for the making of annual reports to the commissioner of insurance shall not be subject to the restrictions prescribed by section one of chapter five of the General Laws; and, provided further, that the comptroller shall transfer to the General Fund the sum of two hundred and sixty-four thousand six hundred and seventy-four dollars from the Highway Fund	1,310,368 00
	Total	\$1,322,868 00

Division of Savings Bank Life Insurance.

1105-01	For the service of the division, including not more than twenty-eight permanent positions	\$124,625 00
	Total, Department of Banking and Insurance	\$2,692,837 00

Service of the Department of Corporations and Taxation.

1201-01	For the salary of the commissioner and associate commissioners	\$43,000 00
1201-02	For personal services of the department except as otherwise provided, including not more than seven hundred and fifteen permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of one hundred and sixty-nine thousand nine hundred and twenty-eight dollars from the Highway Fund and the sum of two million two hundred and sixty-five thousand seven hundred and six dollars from the receipts of the income tax	3,348,558 00
1201-03	For expenses of the department except as otherwise provided for; provided, that the comptroller shall transfer to the General Fund the sum of forty-five thousand eight hundred dollars from the Highway Fund	220,000 00
1202-02	For expenses of the income tax division; provided, that a sum equivalent to the payments under this item shall be transferred to the General Fund from the receipts of the income tax	997,600 00
	Total	\$4,609,158 00

Division of Accounts.

1203-01	For the service of the division, including not more than one hundred and thirty-one permanent positions, partly chargeable to item 1203-11	\$701,750 00
1203-11	For expenses of auditing and installing systems of municipal accounts, the cost of which is to be assessed upon the municipalities for which the work is done	78,500 00
1203-12	For the expenses of certain books, forms and other material which may be sold to cities and towns requiring the same for maintaining their system of accounts	55,000 00
1203-21	For the service of the county personnel board, including not more than six permanent positions	18,637 00
	Total	\$853,887 00

Appellate Tax Board.

Item		
1204-01	For the service of the board, including not more than twenty-nine permanent positions	\$206,944 00
Total, Department of Corporations and Taxation		<u>\$5,669,989 00</u>

Service of the Department of Education.

1301-01	For the salary of the commissioner	\$14,000 00
1301-02	For the office of the commissioner, including not more than seventy-five permanent positions	472,480 00
1301-03	For extension courses in the methods used in the art of teaching and related subjects and for the summer school at Hyannis or elsewhere, to be conducted by the division of teachers' colleges, for graduates of teachers' colleges or for such students or graduates of other colleges as may be approved by the state board of education; provided, that such courses may be furnished free of charge to veterans, as authorized in sections seven and seven A of chapter sixty-nine of the General Laws; and, provided further, that the division may, in addition to the sums appropriated for the purpose in this item, expend from the receipts, without appropriation, income derived from such courses as may be conducted at no net expense to the commonwealth to an amount not exceeding two hundred and thirty-five thousand dollars with the approval of the state board of education	14,000 00
1301-04	For matching, with the approval of the commission on administration and finance, certain federal funds authorized to be accepted and disbursed by chapter six hundred and sixty-four of the acts of nineteen hundred and fifty-eight and allocated to the commonwealth under the provisions of Public Law 85-864; provided, that the department may use for matching such federal funds other state appropriated funds or any public or private funds that may be available, in addition to the amount made available by this item, prior appropriation continued	135,000 00
1301-06	For printing school registers and other school blanks for cities and towns	5,000 00
1301-07	For expenses of holding teachers' institutes	925 00
1301-08	For aid to certain pupils in state teachers' colleges, under the direction of the department of education	4,000 00
1301-10	For the service of the state building on Newbury street, Boston, including not more than five permanent positions	41,784 00
1301-20	For the board of education, including not more than two permanent positions	10,568 00
1301-25	For expenses of the board of collegiate authority	400 00
1301-29	For a program of sight saving classes	3,000 00
1301-32	For assistance to children of certain war veterans, prior appropriation continued, as authorized by section seven B of chapter sixty-nine of the General Laws and corresponding provisions of earlier laws	125,000 00
1301-33	For certain educational services to certain war veterans	40,668 00
Total		<u>\$866,825 00</u>

School Lunch and Commodity Distribution Program.

1305-01	For the administration of the program, including not more than twenty-seven permanent positions	\$165,357 00
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Item		
1305-05	For partial assistance in the furnishing of lunches to school children, as authorized by chapter five hundred and thirty-eight of the acts of nineteen hundred and fifty-one, and if necessary for supplementing federal funds allocated for the special milk program; provided, that notwithstanding any provisions of law to the contrary, payments so authorized to be paid from state funds shall not exceed fifty per cent of the total reimbursement authorized by the national school lunch act; and, provided further, that a sum equivalent to the payments under this item shall be transferred to the General Fund from the receipts of the income tax, prior appropriation continued	\$300,000 00
		Total \$465,357 00

Division of Vocational Education.

1307-01	For the training of teachers for vocational schools, to comply with the requirement of federal authorities under the provisions of the Smith-Hughes act, so-called, including not more than thirty-two permanent positions; provided, that such courses may be furnished free of charge to veterans, as authorized in sections seven and seven A of chapter sixty-nine of the General Laws	\$122,396 00
1307-02	For personal services of the surplus property agency, including not more than three permanent positions; provided, that a sum equivalent to the expenditures made under this item shall be transferred to the General Fund from the receipts of the surplus property agency, established by section fifty-five of chapter seventy-four of the General Laws	18,330 00
		Total \$140,726 00

Education of Deaf and Blind Pupils.

1311-01	For education of deaf and blind pupils of the commonwealth, as provided by section twenty-six of chapter sixty-nine of the General Laws, prior appropriation continued	\$1,700,000 00
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Division of University Extension.

1313-01	For the university extension courses, including not more than fifty-five permanent positions; provided, that the division may, in addition to the sums appropriated for the purpose in this item, expend from the receipts, without appropriation, income derived from such courses as may be conducted at no net expense to the commonwealth to an amount not exceeding three hundred and five thousand dollars with the approval of the state board of education	\$242,771 00
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Division of Immigration and Americanization.

1315-01	For the service of the division, including not more than seventeen permanent positions	\$88,609 00
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Division of Public Libraries.

1316-01	For the service of the division, including not more than twenty-five permanent positions	\$132,908 00
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Division of the Blind.

Item		
1317-01	For general administration and for instruction of the adult blind in their homes, including not more than sixty-seven permanent positions	\$360,781 00
1317-08	For aiding the adult blind, subject to the conditions provided by law, including the cost of certain medical assistance and supplies, prior appropriation continued	1,900,000 00
1317-10	For expenses of administering and operating the service of piano tuning under section twenty-five of chapter sixty-nine of the General Laws	23,500 00
1317-11	For the operation of local shops, including not more than eleven permanent positions	166,561 00
1317-13	For the operation of the Woolson House industries, including not more than three permanent positions	100,789 00
1317-15	For the operation of the salesroom and other expenses in connection with the sale of materials made by blind persons, including not more than four permanent positions	48,073 00
1317-16	For the operation of certain industries for men, including not more than nine permanent positions	346,143 00
1317-17	For the operation of a workshop for the blind in the city of Springfield, as authorized by chapter six hundred and sixty-six of the acts of nineteen hundred and fifty-one, including not more than three permanent positions	67,506 00
1317-18	For certain payments to blind persons, as authorized by chapter six hundred and sixty-nine of the acts of nineteen hundred and fifty-seven	40,000 00
1317-28	For the promotion of vocational rehabilitation of the blind in co-operation with the federal government, prior appropriation continued	108,000 00
Total		\$3,161,353 00

Teachers' Retirement Board.

1319-01	For the service of the board, including not more than thirty permanent positions	\$148,182 00
1319-08	For the payment of the commonwealth's share in financing the teachers' retirement system, as provided by chapter thirty-two of the General Laws, prior appropriation continued	10,950,000 00
Total		\$11,098,182 00

Massachusetts Maritime Academy.

1327-01	For administration, including not more than two permanent positions	\$11,648 00
1327-10	For maintenance of the academy and ship, including not more than forty-nine permanent positions, with the approval of the commissioner of education	442,950 00
Total		\$454,598 00

For the maintenance of and for certain improvements at the following state teachers' colleges, and the boarding halls attached thereto, with the approval of the commissioner of education:

1330-01	State teachers' college at Bridgewater, including not more than one hundred and nine permanent positions	\$787,045 00
1330-21	State teachers' college at Bridgewater, boarding hall, including not more than thirty-seven permanent positions	232,326 00
1331-01	State teachers' college at Fitchburg, including not more than ninety permanent positions	637,247 00
1331-10	For scholarships, as authorized by section seven C of chapter sixty-nine of the General Laws	5,000 00

Item		
1331-21	State teachers' college at Fitchburg, boarding hall, including not more than eleven permanent positions . . .	\$126,867 00
1332-01	State teachers' college at Framingham, including not more than eighty-nine permanent positions . . .	471,490 00
1332-21	State teachers' college at Framingham, boarding hall, including not more than thirty permanent positions . . .	171,425 00
1333-01	State teachers' college at Lowell, including not more than sixty-eight permanent positions . . .	369,303 00
1333-21	State teachers' college at Lowell, boarding hall . . .	11,265 00
1334-01	State teachers' college at North Adams, including not more than thirty-eight permanent positions . . .	229,031 00
1334-21	State teachers' college at North Adams, boarding hall, including not more than seven permanent positions . . .	40,420 00
1335-01	State teachers' college at Salem, including not more than eighty-one permanent positions . . .	533,449 00
1336-01	State teachers' college at Westfield, including not more than sixty-two permanent positions . . .	360,186 00
1336-21	State teachers' college at Westfield, boarding hall, including not more than seven permanent positions . . .	23,926 00
1337-01	State teachers' college at Worcester, including not more than sixty-six permanent positions . . .	445,312 00
1338-01	State teachers' college at Boston, including not more than one hundred and nine permanent positions . . .	769,541 00
1339-01	Massachusetts College of Art, including not more than forty-three permanent positions . . .	312,360 00
Total		\$5,526,193 00

For the maintenance of and for certain improvements at the following institutes, with the approval of the commissioner of education and the trustees thereof:

1340-01	Bradford Durfee College of Technology, including not more than fifty-four permanent positions, and including the sum of ten thousand dollars which is to be assessed upon the city of Fall River as a part of the charges to be paid by said city to the commonwealth in the calendar year nineteen hundred and fifty-nine . . .	\$387,815 00
1342-01	New Bedford Institute of Technology, including not more than forty-nine permanent positions, and including the sum of ten thousand dollars which is to be assessed upon the city of New Bedford as a part of the charges to be paid by said city to the commonwealth in the calendar year nineteen hundred and fifty-nine . . .	432,077 00
Total		\$819,892 00

Lowell Technological Institute of Massachusetts.

1345-01	For the maintenance of the Lowell Technological Institute of Massachusetts, with the approval of the trustees, including not more than one hundred and eighty-one permanent positions, and including the sum of ten thousand dollars which is to be assessed upon the city of Lowell as a part of the charges to be paid by said city to the commonwealth in the calendar year nineteen hundred and fifty-nine; provided, that said institute is hereby authorized to conduct a summer school at no expense to the commonwealth, and for said purpose the institute may receive and expend income derived therefrom . . .	\$1,309,130 00
1345-42	For certain scholarships at the Lowell Technological Institute of Massachusetts, as authorized by section seventeen of chapter seventy-five A of the General Laws . . .	10,000 00

Total \$1,319,130 00

University of Massachusetts.

Item		
1350-01	For the maintenance of the University of Massachusetts, with the approval of the trustees, including not more than one thousand one hundred and twenty-six permanent positions	\$9,260,723 00
1350-21	For expenses in connection with research projects for which the commonwealth will be fully reimbursed by the federal government, with the approval of the commission on administration and finance, prior appropriation continued	40,000 00
1350-27	For a payment to the town of Amherst as part of the cost of construction of an addition to the sewage treatment plant; provided, that the university shall first negotiate an agreement with said town for continuing service at the plant, appropriation expires June thirtieth, nineteen hundred and sixty-one	100,000 00
1350-96	For certain scholarships at the University of Massachusetts, as authorized by section thirty-one of chapter seventy-five of the General Laws	25,000 00
Total		\$9,425,723 00

Division of Youth Service.

1380-01	For the youth service board and for the administration of the division of youth service, including not more than seventy-nine permanent positions	\$732,212 00
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For the maintenance of and for certain improvements at the institutions within the division:

1381-01	Industrial school for boys, including not more than one hundred and twenty-one permanent positions	\$664,925 00
1382-01	Industrial school for girls, including not more than seventy permanent positions	454,338 00
1383-01	Lyman school for boys, including not more than one hundred and thirty-five permanent positions	885,385 00
1384-01	For the operation of reception and detention facilities for boys in the city of Boston, including not more than fifty-one permanent positions	334,466 00
1384-22	For the air conditioning of medical and mental health areas	4,800 00
1385-01	For the operation of the institute of juvenile guidance, including not more than fifty-two permanent positions	280,079 00
1386-01	For the operation of reception and detention facilities for girls in the city of Boston, including not more than twenty-seven permanent positions	141,529 00
1387-01	For the operation of a detention center in Hampden county, including not more than two permanent positions	62,405 00
1388-01	For the operation of a residential treatment unit for small boys in Oakdale, including not more than twenty-one permanent positions	151,014 00
1389-01	For the operation of a detention center in Worcester county, including not more than two permanent positions	61,821 00
1390-01	For the maintenance of the Stephen L. French youth forest camp	25,000 00
Total		\$3,065,762 00

Total, Division of Youth Service \$3,797,974 00

School Building Assistance Commission.

Item		
1393-01	For the school building assistance commission	\$75,741 00

Board of Educational Assistance.

1394-01	For the expenses of the board, as authorized by section twenty-six of chapter fifteen of the General Laws, prior appropriation continued	\$10,025 00
1394-02	For scholarships, as authorized by section twenty-six of chapter fifteen of the General Laws; provided, that notwithstanding the provisions of said section twenty-six, the board may grant scholarships equal to fifty per cent of the amount appropriated in this item to students enrolled in state colleges and operated by the commonwealth, prior appropriation continued	100,000 00
Total		\$110,025 00

Total, Department of Education \$39,426,007 00

*Service of the Department of Civil Service and Registration.**Division of Civil Service.*

1402-01	For the salary of the director and for the compensation of members of the commission	\$40,000 00
1402-02	For the service of the division, including not more than two hundred and thirteen permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of one hundred and fifty-two thousand six hundred and seventy-eight dollars from the Highway Fund	1,007,850 00
1402-21	For expenses of hearings, as authorized by section forty-three of chapter thirty-one of the General Laws	2,500 00
Total		\$1,050,350 00

Division of Registration.

1403-01	For the salary of the director	\$6,000 00
1403-02	For the service of the division, including not more than forty-eight permanent positions	317,253 00
Total		\$323,253 00

For the service of the following agencies in the division:

1404-01	Board of registration in medicine, including not more than seven permanent positions	\$10,725 00
1405-01	Board of dental examiners, including not more than five permanent positions	5,950 00
1406-01	Board of registration in chiropody, including not more than five permanent positions	3,100 00
1407-01	Board of registration in pharmacy, including not more than nine permanent positions	31,873 00
1408-01	Board of registration of nurses, including not more than ten permanent positions	5,780 00
1409-01	Board of registration in embalming and funeral directing, including not more than five permanent positions	11,500 00
1410-01	Board of registration in optometry, including not more than five permanent positions	2,900 00
1411-01	Board of registration in veterinary medicine, including not more than five permanent positions	2,725 00
1412-01	Board of registration of professional engineers and land surveyors	17,305 00

Item		
1413-01	Board of registration of architects, including not more than five permanent positions	\$4,525 00
1414-01	Board of registration of certified public accountants, including not more than five permanent positions	14,910 00
1416-01	State examiners of electricians, including not more than two permanent positions	9,700 00
1417-01	State examiners of plumbers, including not more than three permanent positions	7,600 00
1418-01	Board of registration of real estate brokers and salesmen	500 00
1419-01	Board of registration of electrologists, including not more than three permanent positions, for the year nineteen hundred and sixty and the previous year	1,400 00
1420-01	Board of registration of barbers, including not more than nine permanent positions	44,614 00
1421-01	Board of registration of hairdressers, including not more than seventeen permanent positions	82,900 00
1422-01	Board of registration of dispensing opticians, including not more than five permanent positions	1,200 00
1424-01	Board of sanitarians, including not more than four permanent positions	1,080 00
Total		<u>\$260,287 00</u>

Total, Department of Civil Service and Registration \$1,633,890 00

Service of the Department of Commerce.

1551-01	For the service of the department, including not more than fifty-seven permanent positions	\$639,976 00
1551-10	For the commonwealth's share of the expenses of the New England textile committee	5,400 00
Total, Department of Commerce		<u>\$645,376 00</u>

Service of the Department of Labor and Industries.

1601-01	For general administration and for the division of employment of the aging, including not more than thirteen permanent positions	\$92,285 00
1603-01	For the division of industrial inspection, including not more than sixty-eight permanent positions	410,291 00
1605-01	For the division of occupational hygiene, including not more than fourteen permanent positions	87,973 00
1607-01	For the division of statistics, including not more than thirty-four permanent positions	170,363 00
1609-01	For administration of the division on necessities of life, including not more than five permanent positions	27,388 00
1609-05	For administration, by said division, of sections two hundred and ninety-five A to two hundred and ninety-five O, inclusive, of chapter ninety-four of the General Laws, relating to the advertising and sale of motor fuel at retail, including not more than twelve permanent positions	68,756 00
1611-01	For the board of conciliation and arbitration, including not more than sixteen permanent positions	122,278 00
1613-01	For the commission on minimum wage and for expenses of wage boards, including not more than thirty-four permanent positions	166,875 00
1615-01	For the division of standards, including not more than fifteen permanent positions	88,541 00
Total		<u>\$1,234,750 00</u>

Division of Apprentice Training.

Item		
1620-01	For the service of the division, including not more than thirty-six permanent positions; provided, that all of the positions of this division, with the exception of the head clerk, shall not be subject to chapter thirty-one of the General Laws	\$179,272 00

Labor Relations Commission.

1630-01	For the service of the commission, including not more than nineteen permanent positions	\$123,747 00
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Health, Welfare and Retirement Trust Funds Board.

1640-01	For the service of the board, as authorized by sections ten E and ten F of chapter twenty-three of the General Laws, prior appropriation continued	\$25,000 00
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Division of Industrial Accidents.

1651-01	For personal services of members of the board, including not more than eleven permanent positions	\$111,000 00
1651-02	For the service of the board and for clerical and other assistance for the industrial accident rehabilitation board, including not more than one hundred and seventy-two permanent positions	792,848 00
1651-05	For expenses of impartial examinations, prior appropriation continued	45,000 00
1651-06	For the compensation of certain public employees for injuries sustained in the course of their employment, as provided by section sixty-nine of chapter one hundred and fifty-two of the General Laws, prior appropriation continued; provided, that the comptroller shall transfer to the General Fund the sum of three hundred and twenty-five thousand five hundred dollars from the Highway Fund	930,000 00

Total \$1,878,848 00

Division of Self-Insurance.

1651-21	For the service of the division, including not more than six permanent positions	\$31,865 00
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Industrial Accident Rehabilitation Board.

1652-01	For the service of the industrial accident rehabilitation board, including not more than six permanent positions	\$13,063 00
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Total, Department of Labor and Industries \$3,486,545 00

Service of the Department of Mental Health.

1701-01	For the salary of the commissioner	\$15,000 00
1701-02	For administration, including community nurseries for retarded children, the division of mental hygiene, psychiatric services to the courts and other state departments, therapy and outpatient treatment of sexual offenders including those incarcerated in institutions within the commonwealth, and for the transportation and medical examination of patients and certain feeble-minded persons, including not more than three hundred and thirty-nine permanent positions	2,849,888 00

Total \$2,864,888 00

For the maintenance of and for certain improvements at the following institutions under the control of the department of mental health:

Item	
1710-00	Massachusetts mental health center, including not more than two hundred and thirty-nine permanent positions \$1,256,536 00
1711-00	Boston state hospital, including not more than one thousand one hundred and two permanent positions . . . 5,272,285 00
1711-30	For certain repairs to the roof of "B" building . . . 20,000 00
1712-00	Danvers state hospital, including not more than eight hundred and thirty-nine permanent positions . . . 3,849,700 00
1713-00	Foxborough state hospital, including not more than four hundred and seventy permanent positions . . . 2,537,729 00
1714-00	Gardner state hospital, including not more than four hundred and eighty-one permanent positions . . . 2,425,811 00
1715-00	Grafton state hospital, including not more than five hundred and sixty-nine permanent positions . . . 2,815,048 00
1716-00	Medfield state hospital, including not more than five hundred and forty-nine permanent positions . . . 3,013,978 00
1717-00	Metropolitan state hospital, including not more than seven hundred and four permanent positions . . . 3,433,360 00
1718-00	Northampton state hospital, including not more than six hundred and twenty-six permanent positions . . . 3,452,213 00
1719-00	Taunton state hospital, including not more than six hundred and eighty-seven permanent positions . . . 3,315,167 00
1720-00	Westborough state hospital, including not more than six hundred and ninety-four permanent positions . . . 3,543,272 00
1721-00	Worcester state hospital, including not more than one thousand and twenty-three permanent positions . . . 4,581,334 00
1722-00	Monson state hospital, including not more than seven hundred and forty-five permanent positions . . . 3,221,420 00
1722-27	For an X-ray unit, reception-hospital building . . . 20,000 00
1723-00	Belchertown state school, including not more than four hundred and sixty-two permanent positions . . . 2,206,727 00
1724-00	Walter E. Fernald state school, including not more than eight hundred and thirty permanent positions . . . 3,999,595 00
1725-00	Wrentham state school, including not more than six hundred and thirty-eight permanent positions . . . 3,019,033 00
1726-00	Myles Standish state school, including not more than five hundred and ninety-three permanent positions . . . 2,876,482 00
1727-00	Cushing hospital, including not more than three hundred and thirty-three permanent positions . . . 2,047,156 00

Total \$56,906,846 00

Total, Department of Mental Health \$59,771,734 00

Service of the Department of Correction.

1801-01	For the salary of the commissioner . . . \$15,000 00
1801-02	For administration, including not more than sixty-six permanent positions; provided, that the persons employed under the division of classification of prisoners shall not be subject to the civil service laws and rules; and, provided further, that notwithstanding any provision of the law to the contrary, the director of civil service shall certify to the commissioner of correction, on receipt of permanent requisitions, names of correction officers to fill permanent vacancies, and the salary of these employees during the period of official training shall be paid from this item . . . 438,403 00
	Non-Contributory Pensions:
1801-21	For the compensation of certain prison officers and instructors formerly in the service of the commonwealth, now retired, prior appropriation continued . . . 21,500 00

Total \$474,903 00

For the maintenance of and for certain improvements at the following institutions under the control of the department of correction:

Item		
1810-01	Correctional institution at Bridgewater, including not more than four hundred and eighty-one permanent positions	\$3,205,600 00
1812-01	Correctional institution at Walpole, including not more than two hundred and seventy permanent positions	1,867,867 00
1812-02	Correctional institution at Walpole, industries, including not more than thirty permanent positions; provided, that the commissioner of correction shall determine the cost of the manufacture of motor vehicle registration plates and certify to the comptroller the amounts to be transferred therefor from the Highway Fund to the General Fund	814,798 00
1814-01	Correctional institution at Concord, including not more than two hundred and forty-five permanent positions	1,616,980 00
1814-02	Correctional institution at Concord, industries, including not more than twenty-three permanent positions	274,484 00
1816-01	Correctional institution at Framingham, including not more than one hundred and thirty-two permanent positions	815,086 00
1816-02	Correctional institution at Framingham, industries, including not more than eleven permanent positions	202,345 00
1818-01	Correctional institution at Norfolk, including not more than two hundred and fifty-three permanent positions	1,799,698 00
1818-02	Correctional institution at Norfolk, industries, including not more than twenty-nine permanent positions	454,848 00
1820-01	For the operation of correctional institution camps, including not more than twenty-four permanent positions	240,872 00
Total		<u>\$11,292,578 00</u>

Parole Board.

1830-01	For the service of the board, including not more than sixty-three permanent positions	\$426,132 00
Total, Department of Correction		<u>\$12,193,613 00</u>

Service of the Department of Public Welfare.

1901-01	For the salary of the commissioner	\$12,500 00
1901-03	For the office of the commissioner and expenses of the department of public welfare, including not more than five hundred and fifty-one permanent positions	2,684,300 00
1901-04	For payments on account of permanent and total disability assistance made in accordance with section three of chapter one hundred and eighteen D of the General Laws	60,000 00
1901-06	For payments on account of old age assistance grants made in accordance with section one C of chapter one hundred and eighteen A of the General Laws	99,000 00
Total		<u>\$2,855,800 00</u>

Division of Child Guardianship.

1906-04	For the care and maintenance of children under the jurisdiction of the division of child guardianship, prior appropriation continued	\$3,900,000 00
Total, Department of Public Welfare		<u>\$6,755,800 00</u>

Service of the Department of Public Health.

Bureau of Administration.

Item		
2001-01	For the salary of the commissioner	\$14,000 00
2001-02	For the service of the bureau of administration, including not more than thirty-eight permanent positions	209,116 00
2001-03	For a poliomyelitis vaccine (Salk) program, as authorized by chapter four hundred and eighty-one of the acts of nineteen hundred and fifty-five, as amended, and for the development of programs for the diagnosis, care, treatment and rehabilitation of victims of the poliomyelitis epidemic, to be expended either with or without grants or contributions from public or private agencies; provided, that such grants or contributions may be expended without appropriation, and, provided further, that the commissioner shall require a report of the use of all vaccine from each participating physician and said reports shall be summarized and presented to the General Court on or before the first Wednesday in January, prior appropriation continued	400,000 00
Total		\$623,116 00

Bureau of Environmental Sanitation.

2002-01	For the service of the bureau, including not more than one hundred and seven permanent positions; provided, that an amount equal to the administrative expense paid from this account and incurred in making special air pollution surveys shall be transferred from item 2002-02 and credited to the General Fund by the comptroller upon certification by the commissioner of public health	\$748,700 00
2002-02	For special air pollution surveys to be conducted upon request of cities or towns; provided, that any city or town requesting such a survey shall pay in advance the estimated cost thereof, the amounts so received to be available for expenditure under this item without appropriation, expires June thirtieth, nineteen hundred and sixty-one.	
Total		\$748,700 00

Bureau of Preventive Disease Control.

2003-01	For the service of the bureau of preventive disease control and for the operation of certain clinics in the outpatient department of certain general hospitals, including not more than fifty-one permanent positions	\$1,327,448 00
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Bureau of Health Services.

2004-01	For the service of the bureau of health services, including not more than fifty-four permanent positions	\$600,459 00
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Bureau of Hospital Facilities.

2005-01	For the service of the bureau of hospital facilities, including not more than twenty-three permanent positions	\$152,694 00
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Bureau of Tuberculosis and Institutions.

2006-01	For the service of the bureau of tuberculosis and institutions and for the commonwealth's share of the operation of certain tuberculosis clinics, including not more than thirty permanent positions	\$185,591 00
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Institute of Laboratories.

Item		
2007-01	For the service of the institute of laboratories, including not more than one hundred and thirty-five permanent positions	\$702,309 00
<i>For the maintenance of and for certain improvements at the following institutions under the control of the department of public health:</i>		
2021-00	For the maintenance of the Tewksbury hospital, including not more than seven hundred and seventy-nine permanent positions	\$3,806,213 00
2022-00	Lakeville state sanatorium, including not more than two hundred and forty-five permanent positions	1,132,419 00
2022-21	For the replacement of certain fire alarm cable	11,400 00
2023-00	North Reading state sanatorium, including not more than two hundred and eight permanent positions	941,900 00
2024-00	Rutland state sanatorium, including not more than two hundred and fifty-four permanent positions	1,185,050 00
2025-00	Westfield state sanatorium, including not more than two hundred and eighty-eight permanent positions	1,442,850 00
2026-00	Lemuel Shattuck hospital, including not more than eight hundred and four permanent positions	3,418,500 00
2027-00	Massachusetts Hospital School, including not more than two hundred and eleven permanent positions	1,011,111 00
2031-00	Pondville hospital, including not more than two hundred and seventy permanent positions	1,436,947 00
2031-22	For certain X-ray equipment	22,000 00
Total		<u>\$14,408,390 00</u>

New England Interstate Water Pollution Control Commission.

2040-01	For expenses of the New England interstate water pollution control commission, as authorized by chapter four hundred and twenty-one of the acts of nineteen hundred and forty-seven, and for compensation and expenses of the commissioners, as provided by section four of said chapter	\$9,780 00
Total, Department of Public Health		<u>\$18,758,487 00</u>

Service of the Department of Public Safety.

2101-01	For the salary of the commissioner	\$12,500 00
2101-02	For certain administrative expenses of the department, including not more than ninety-nine permanent positions	522,081 00
Total		<u>\$534,581 00</u>

Division of Fire Prevention.

2103-01	For the fire prevention service, including not more than twenty-five permanent positions	\$205,837 00
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Division of Inspection.

2104-01	For the service of the division, except as otherwise provided, including not more than fifty-nine permanent positions	\$401,542 00
2104-31	For the board of boiler rules, including not more than four permanent positions	1,400 00
Total		<u>\$402,942 00</u>

State Boxing Commission.

Item		
2105-11	For the service of the commission, including not more than six permanent positions	\$27,919 00

Board of Standards.

2106-01	For the service of the board, including not more than seven permanent positions	\$5,100 00
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Board of Elevator Regulations.

2107-01	For the service of the board, including not more than seven permanent positions	\$5,100 00
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Board of Fire Prevention Regulations.

2108-01	For the service of the board, including not more than six permanent positions	\$4,100 00
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Division of Subversive Activities.

2109-01	For the service of the division of subversive activities, including not more than five permanent positions	\$29,062 00
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Board of Schoolhouse Structural Standards.

2110-01	For the service of the board, as authorized by chapter six hundred and seventy-five of the acts of nineteen hundred and fifty-five, as amended	\$2,000 00
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Board of Examiners.

2111-01	For the service of the board of examiners of persons licensed under section seventy-one B of chapter one hundred and forty-three of the General Laws, including not more than one permanent position	\$1,000 00
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Total, Department of Public Safety	<u>\$1,217,641 00</u>
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Service of the Department of Public Works.

Division of Waterways.

2202-03	For administration, including not more than sixty-five permanent positions; provided, that an amount equal to the expenditures for personal services properly chargeable to item 2202-05, as certified by the director of the division, shall be credited as revenue to the General Fund	\$335,300 00
2202-06	For the maintenance and repair of certain property in the town of Plymouth, including not more than two permanent positions	8,050 00
2202-07	For the operation and maintenance of the New Bedford state pier, including not more than three permanent positions	18,908 00

Total	<u>\$362,258 00</u>
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Outdoor Advertising Division.

Item		
2230-01	For the service of the outdoor advertising division, including not more than eleven permanent positions	<u>\$52,699 00</u>
	Total, Department of Public Works	<u>\$414,957 00</u>

Service of the Department of Public Utilities.

2301-01	For personal services of the commissioners, including not more than seven permanent positions	\$77,000 00
2301-02	For administration, including not more than seventy-three permanent positions	448,960 00
2301-09	For hearings and special investigations; provided, that no salaries or expenses of permanent employees shall be chargeable to this item, prior appropriation continued	20,000 00
	Total	<u>\$545,960 00</u>

Commercial Motor Vehicle Division.

2304-01	For the service of the division, including not more than thirty-two permanent positions	\$206,879 00
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Securities Division.

2308-01	For the service of the division, including not more than nine permanent positions	<u>\$50,214 00</u>
	Total, Department of Public Utilities	<u>\$803,053 00</u>

Annuities and Payments.

2805-01	For the payment of certain annuities and pensions of soldiers and others under the provisions of certain acts and resolves	\$17,890 00
2805-02	For payment of any claims, as authorized by sections eighty-nine and eighty-nine A of chapter thirty-two of the General Laws, for allowances to the families of certain employees killed or fatally injured in the discharge of their duties	16,200 00
	Total, Annuities and Payments	<u>\$34,090 00</u>

Non-Contributory Pensions.

2811-02	For the compensation of veterans who may be retired by the governor under the provisions of sections fifty-six to fifty-nine, inclusive, of chapter thirty-two of the General Laws, and for the cost of medical examinations in connection therewith; provided, that the comptroller shall transfer to the General Fund the sum of five hundred and sixty-four thousand seven hundred and forty dollars from the Highway Fund	<u>\$2,567,000 00</u>
	Total, Non-Contributory Pensions	<u>\$2,567,000 00</u>

Miscellaneous.

Item		
2820-02	For the payment, with the approval of the comptroller, of expenses of prior fiscal years for which no funds are available in the current fiscal year; provided, that such payments are otherwise authorized by law	\$25,000 00
2820-06	For the repayment to claimants, as authorized by section one hundred and forty-nine D of chapter one hundred and seventy-five of the General Laws and for reimbursement of other persons for funds previously deposited in the treasury of the commonwealth and escheated to the commonwealth	2,500 00
2820-08	For the payment of claims for unpaid checks, with the approval of the state treasurer and certification by him to the comptroller of the amount due, where payment has otherwise been prevented as a result of the application of section thirty-two of chapter twenty-nine of the General Laws	1,500 00
Total, Miscellaneous		<u>\$29,000 00</u>

APPROPRIATIONS MADE FROM THE HIGHWAY FUND.

Service of the Department of Public Works.

Highway Activities.

The salaries of all officers and employees of the department engaged in projects or activities relating to highways shall be charged for the nineteen hundred and sixty fiscal year in full to appropriations authorized under the heading of "Highway Activities" in this act:

2900-01	For the salaries of the commissioner and the associate commissioners, including not more than three permanent positions	\$35,000 00
2900-02	For administration and engineering in connection with all highway activities, for the offices of the commissioner, department secretary, personnel officer and business agent, including telephone service in the public works building; and for the payment of damages caused by defects in state highways, with the approval of the attorney general; provided, that the position of personnel director, public works department, shall not be subject to the civil service laws and rules, prior appropriation continued	16,861,500 00
2900-04	For the maintenance and repair of state highways and bridges, traffic signs and signals, including traffic safety devices on town and city ways as the department may deem necessary; for work for which the Highway Fund is reimbursed other than work in connection with the projects included in federal aid programs; and for the purchase, construction and repair of shelters for departmental equipment and material including land necessary therefor, the cost of which is less than ten thousand dollars for each project, prior appropriation continued	11,730,000 00
2900-07	For the construction, improvement and maintenance by the department of public works of public roads in state forests, parks and reservations outside of the Metropolitan Parks districts, as authorized by section thirteen of chapter eighty-one of the General Laws, prior appropriation continued.	

Item		
2900-08	For the cost of snow and ice control on state highways and town roads, including the removal of sand and other additional expenses in connection therewith, prior appropriation continued	\$6,089,150 00
2900-09	For the construction, improvement and maintenance by the department of public works of public roads within the limits of any property under the control of any department, board or commission of the commonwealth, as authorized by section thirteen of chapter eighty-one of the General Laws, prior appropriation continued.	
2900-10	For projects for the construction and reconstruction of highways and bridges, including the elimination of grade crossings, which have been approved by the proper federal authorities to be included in federal aid programs, and for land damages in connection with such projects; provided, that any portion of the sum herein appropriated may also be used for said federal aid projects in conjunction with city or town funds; and, provided further, that the balance of amounts made available for expenditure in the fiscal year nineteen hundred and fifty-nine is hereby reappropriated; and, provided further, that amounts made available by this item in any fiscal year shall be available for expenditure in the succeeding fiscal year.	
2900-11	For the establishment and designation of a system of tourist routes, prior appropriation continued.	
2900-12	For projects for improving state highways and through routes, including bridges, and including construction and reconstruction, it being the intent of the general court that state highways shall be made continuous whether or not sections to be made state highways require construction work; for turnouts or rest areas within highway rights of way, including contingent expenses therefor; and upon agreement with city or town officials, for construction of needed improvements on other through routes not designated as state highways and without acceptance by the commonwealth of responsibility for maintenance; provided, that any portion of the sum appropriated herein may be used in conjunction with city or town funds, prior appropriation continued	875,000 00
2900-20	For all personal services, for the fiscal year nineteen hundred and sixty and previous years, for all projects and activities relating to highways, including not more than three thousand six hundred and fourteen permanent positions; provided, that transfers shall be made to this account by the commissioner of public works from appropriations for the several highway activity items in this act except items 2900-01 and 2900-80 in amounts not in excess of the initial amounts prescribed for personal services by subsidiary account as authorized by section twenty-seven of chapter twenty-nine of the General Laws, the amounts transferred to this account to be credited to corresponding subsidiary accounts; and, provided further, that the provisions of section twenty-nine of chapter twenty-nine of the General Laws shall apply to this item.	
2900-35	For resurfacing existing state highways with not less than one and one-quarter inches of bituminous bound aggregate, using present traveled ways as a base; provided, that the state purchasing agent may buy the required bituminous-treated aggregate, notwithstanding the provisions of section eight A of chapter twenty-nine of the General Laws, prior appropriation continued	1,250,000 00
2900-36	For the construction or reconstruction of state highway and other bridges, including certain bridges placed under the authority of the department of public works by chapter six hundred and ninety of the acts of nineteen hundred and forty-five and by chapter four hundred and eighty-two of the acts	

Item

	of nineteen hundred and forty-eight; provided, that sums herein appropriated may be used, upon agreement with city or town officials, in conjunction with city or town funds without acceptance by the commonwealth of responsibility for maintenance; and, provided further, that an amount not exceeding two hundred thousand dollars may be expended for the project authorized by chapter six hundred and thirty-nine of the acts of nineteen hundred and fifty-eight, prior appropriation continued	\$875,000 00
2900-38	For expenses in connection with research and investigational work to be done on a co-operative basis with the Massachusetts Institute of Technology, prior appropriation continued, expires June thirtieth, nineteen hundred and sixty-one	30,000 00
2900-39	For certain research and investigational work in co-operation with the highway research board, prior appropriation continued	2,000 00
2900-61	For the compensation of former employees of the department of public works, now retired, as authorized by chapter four hundred and three of the acts of nineteen hundred and forty-eight, as amended by chapter four hundred and forty-one of the acts of nineteen hundred and fifty-three	36,540 00
2900-80	For the operation and maintenance of the public works building, including not more than eighty-three permanent positions	428,076 00
2900-81	For certain repairs and repointing of the public works building	15,000 00
Total, Department of Public Works		<u>\$38,227,266 00</u>

Service of the Registry of Motor Vehicles.

2924-01	For the service of the registry, including not more than nine hundred and seventy-nine permanent positions	<u>\$5,505,000 00</u>
Total, Registry of Motor Vehicles		<u>\$5,505,000 00</u>

Service of the Department of Public Safety.

Division of State Police.

2926-01	For the service of the division, including not more than six hundred and twenty-seven permanent positions	4,318,969 00
2926-11	For the compensation of state police officers formerly in the service of the commonwealth, now retired	46,000 00
The comptroller is hereby authorized to transfer to the Highway Fund the sum of six hundred and seventy thousand eight hundred and four dollars from the General Fund on account of the expenditures under the division of state police.		
Total, Department of Public Safety		<u>\$4,364,969 00</u>

Service of the Metropolitan District Commission.

The following items are to be paid with the approval of the Metropolitan District Commission:

2931-01	For general administration, including not more than sixty-five permanent positions; provided, that the comptroller shall transfer to the Highway Fund seventy-five per cent of the	
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Item		
	cost of payments made under this item from the Metropolitan District Commission Funds, to be assessed by methods fixed by law	\$344,938 00
2931-04	For the construction, reconstruction and improvement of boulevards and parkways, including bridges, and including the resurfacing and repairing thereof, appropriation expires June thirtieth, nineteen hundred and sixty-one	1,000,000 00
2931-06	For the maintenance of boulevards and parkways, including the installation of traffic lights and including Bunker Hill and the property adjacent, and for the maintenance of parks reservations and the Charles River basin, and for the payment of damages caused by defects in boulevards and parkways under the control of the commission with the approval of the attorney general, including the retirement of metropolitan police and veterans under the provisions of the General Laws, and including not more than one thousand and fifty-nine permanent positions; provided, that the comptroller shall transfer to the Highway Fund proportions of payments made under this item, as provided by section fifty-five of chapter ninety-two of the General Laws; provided further, that notwithstanding any other provision of law to the contrary, there shall be included a payment of four hundred and twenty-three dollars for a prior-year salary earned but not paid	8,246,551 00
2931-66	For the purchase of a power shovel	18,800 00
2931-69	For the purchase of a street sweeper	15,000 00
Total, Metropolitan District Commission		<u>\$9,625,289 00</u>

APPROPRIATIONS MADE FROM THE INLAND FISHERIES AND GAME FUND.

Service of the Department of Natural Resources.

Division of Fisheries and Game. (It is hereby provided that federal funds received as reimbursements under the following items are to be credited as income to the Inland Fisheries and Game Fund):

3304-01	For the service of the division, including not more than thirteen permanent positions and including expenses of the board as authorized by chapter twenty-one of the General Laws	\$139,949 00
3304-42	For the expenses of fish hatcheries and for the improvement and management of lakes, ponds and rivers, including not more than forty-four permanent positions	467,808 00
3304-44	For the contribution of the department of natural resources towards a wild life co-operative research project, in accordance with a contract with the federal government, to be expended by the University of Massachusetts	7,500 00
3304-47	For fish restoration projects, as authorized by chapter two hundred and seven of the acts of nineteen hundred and fifty-one, including not more than one permanent position; provided, that the comptroller shall transfer to the Inland Fisheries and Game Fund the sum of six thousand dollars from the General Fund, prior appropriation continued	68,426 00
3304-51	For expenses of game farms and for wild life research and management, including not more than forty-nine permanent positions	362,989 00

Item		
3304-53	For expenses of establishing and conducting wild life restoration projects, as authorized by chapter three hundred and ninety-two of the acts of nineteen hundred and thirty-eight, including not more than twenty permanent positions, prior appropriation continued	\$153,379 00
Total		<u>\$1,200,051 00</u>

Division of Law Enforcement.

3308-05	For the payment of damages caused by wild deer and wild moose, including not more than one permanent position, prior appropriation continued	\$4,004 00
3308-07	For the supervision of public fishing and hunting grounds	7,884 00
Total		<u>\$11,888 00</u>
Total, Department of Natural Resources		<u>\$1,211,939 00</u>

APPROPRIATION PAYABLE FROM THE AGRICULTURAL PURPOSES FUND.

Service of the Department of Agriculture.

Division of Plant Pest Control and Fairs.

3809-21	For state prizes and agricultural exhibits, including allotment of funds for the 4-H activities; provided, that the comptroller shall transfer to the General Fund the sum of ninety-four thousand three hundred and twelve dollars from the Agricultural Purposes Fund, prior appropriation continued	\$194,400 00
Total, Department of Agriculture		<u>\$194,400 00</u>

APPROPRIATIONS PAYABLE FROM THE MOSQUITO CONTROL FUND.

Service of the State Reclamation Board.

3901-00	For the expenses of mosquito control projects, as authorized by chapter three hundred and seventy-nine of the acts of nineteen hundred and thirty, as amended by section one of chapter two hundred and fifty of the acts of nineteen hundred and thirty-five, to be assessed in the calendar year nineteen hundred and fifty-nine	\$123,430 00
3915-00	For the expenses of mosquito control projects, as authorized by chapter four hundred and fifty-six of the acts of nineteen hundred and forty-five, as amended by chapter seven hundred and thirty-four of the acts of nineteen hundred and fifty, to be assessed in the calendar year nineteen hundred and fifty-nine	59,429 00
3917-00	For the expenses of mosquito control projects, as authorized by chapter three hundred and forty-one of the acts of nineteen hundred and fifty-six, to be assessed in the calendar year nineteen hundred and fifty-nine	91,010 00

Item	
3918-00	For the expenses of mosquito control projects, as authorized by chapter four hundred and thirty-two of the acts of nineteen hundred and fifty-eight, to be assessed in the calendar year nineteen hundred and fifty-nine, prior appropriation continued.
3920-00	For the expenses of mosquito control projects, as authorized by chapter five hundred and fourteen of the acts of nineteen hundred and fifty-seven, to be assessed in the calendar year nineteen hundred and fifty-nine <u>\$72,009 00</u>
Total, State Reclamation Board <u>\$345,878 00</u>	

APPROPRIATION PAYABLE FROM THE STATE RECREATION AREAS FUND.

Service of the Department of Natural Resources.

Division of Forests and Parks.

4010-01	For the service of the bureau of recreation, including not more than seventy permanent positions <u>\$678,067 00</u>
Total, Department of Natural Resources <u>\$678,067 00</u>	

Service of the Department of Public Works.

4050-01	For the administration of public beaches, including not more than three permanent positions <u>\$18,186 00</u>
4050-02	For the maintenance of Salisbury beach reservation, including not more than three permanent positions <u>103,214 00</u>
4050-03	For the care and maintenance of the province lands, including the bathhouse, and of the lands acquired and structures erected by the Provincetown tercentenary commission, including not more than five permanent positions <u>34,709 00</u>
4050-05	For the maintenance of Horseneck beach, including not more than one permanent position <u>94,246 00</u>
4050-06	For the maintenance of Scusset beach <u>34,065 00</u>
Total, Department of Public Works <u>\$284,420 00</u>	

APPROPRIATION PAYABLE FROM THE SMOKE INSPECTION FUND.

Service of the Department of Public Health.

Division of Smoke Inspection.

4311-01	For the service of the division, including not more than nine permanent positions <u>\$49,471 00</u>
Total, Department of Public Health <u>\$49,471 00</u>	

APPROPRIATIONS PAYABLE FROM THE METROPOLITAN DISTRICT COMMISSION FUNDS.

The following appropriations are to be assessed upon the several districts in accordance with the methods fixed by law, unless otherwise provided, and to be expended under the direction of the Metropolitan District Commission:

Metropolitan Parks, General.

Item		
8601-27	For certain payments for the use of facilities of the museum of science	\$75,000 00
8601-39	For the erection, repair and maintenance of protective fencing	20,000 00
8602-27	For the cost of suppressing the gypsy moth	5,000 00
8602-37	For the expenses of holding band concerts	27,500 00
Total, Metropolitan Parks, General		<u>\$127,500 00</u>

Metropolitan Sewerage, North System.

8702-00	For the maintenance and operation of a system of sewage disposal for the north metropolitan sewerage district, including retirement of veterans under the provisions of the General Laws, and including not more than three hundred and eighteen permanent positions for the north and south systems, partly chargeable to this item and to item 8807-00	\$1,254,903 00
8702-10	For a certain payment, as authorized by chapter two of the resolves of nineteen hundred and fifty-eight; provided, that a sum equal to the payments under this item shall be assessed upon the north and south metropolitan sewerage districts according to methods fixed by law	1,500 00
8702-34	For the purchase and installation of certain equipment	12,500 00
Total, Metropolitan Sewerage, North System		<u>\$1,268,903 00</u>

Metropolitan Sewerage, South System.

8807-00	For the maintenance and operation of the system of sewage disposal for the south metropolitan sewerage district, including retirement of veterans under the provisions of the General Laws, and including certain permanent positions as enumerated in item 8702-00	\$1,190,700 00
Total, Metropolitan Sewerage, South System		<u>\$1,190,700 00</u>

Metropolitan Water System.

8902-00	For the maintenance and operation of the metropolitan water system, including the retirement of veterans under the provisions of the General Laws and including not more than five hundred and ninety-five permanent positions	\$3,849,989 00
8902-22	For emergency repairs to water mains, prior appropriation continued, expires June thirtieth, nineteen hundred and sixty-one	15,000 00

Item		
8902-34	For the construction of additions and improvements to certain supply and distribution mains, prior appropriation continued, expires June thirtieth, nineteen hundred and sixty-one	\$750,000 00
8902-42	For certain repairs to Echo Bridge, Sudbury, prior appropriation continued, expires June thirtieth, nineteen hundred and sixty-one	6,000 00
8902-49	For the purchase and installation of a hydraulic gate, Wachusett power station, appropriation expires June thirtieth, nineteen hundred and sixty-one	25,000 00
8902-83	For certain additional improvements to the Clinton sewerage treatment plant	25,000 00
8902-85	For the purchase and installation of certain chlorinator booster stations	25,000 00
8902-86	For the purchase of a mobile truck crane	40,000 00
Total, Metropolitan Water System		<u>\$4,735,989 00</u>

LOCAL AID APPROPRIATIONS.

The following appropriations are for reimbursements and grants to local governments and for certain other purposes, and are to be in addition to any unexpended balance of appropriations heretofore made for the purpose:

APPROPRIATION MADE FROM THE GENERAL FUND.

Service of the Judiciary.

Suffolk County Court House.

2603-02	For reimbursing the city of Boston for thirty per cent of the cost of maintenance of the Suffolk county court house, as provided by and subject to the conditions of section six of chapter four hundred and seventy-four of the acts of nineteen hundred and thirty-five; provided, that this appropriation shall not be construed as fixing the specific amount for which the commonwealth shall be liable on account of said maintenance	<u>\$243,000 00</u>
Total, Judiciary		<u>\$243,000 00</u>

Boards and Commissions serving under Governor and Council.

Service of the State Housing Board.

2604-02	For the reimbursement of housing authorities, as authorized by chapter six hundred and sixty-eight of the acts of nineteen hundred and fifty-three	\$100,000 00
2604-03	For reimbursement to certain cities and towns, as provided by chapter two hundred of the acts of nineteen hundred and forty-eight, as amended	4,192,000 00
Total		<u>\$4,292,000 00</u>

Service of the Commissioner of Veterans' Services.

Item		
2604-06	For reimbursing cities and towns for money paid for veterans' benefits, as provided in section six of chapter one hundred and fifteen of the General Laws	<u>\$5,400,000 00</u>
	Total, Boards and Commissions serving under Governor and Council	<u>\$9,692,000 00</u>

Service of the Department of Agriculture.

Division of Livestock Disease Control.

2609-01	For the reimbursement of certain towns for compensation paid to inspectors of animals	<u>\$4,000 00</u>
	Total, Department of Agriculture	<u>\$4,000 00</u>

Service of the Department of Natural Resources.

Division of Forests and Parks.

2610-01	For aiding towns in the purchase of equipment for extinguishing forest fires, as provided by section eleven of chapter forty of the General Laws	<u>\$1,250 00</u>
2610-02	For reimbursement to certain towns for extinguishing forest fires, prior appropriation continued.	
2610-03	For the reimbursement to cities and towns of a proportion of their expenses for the suppression of insect pests, as provided by law, prior appropriation continued.	
	Total	<u>\$1,250 00</u>

Division of Marine Fisheries.

2610-04	For the reimbursement to certain coastal cities and towns of a part of the cost of projects for the suppression of enemies of shellfish and for propagation, as authorized by section twenty of chapter one hundred and thirty of the General Laws; provided, that the expenditure by said cities and towns of funds herein provided shall not be subject to appropriation as required by section fifty-three of chapter forty-four of the General Laws	<u>\$20,000 00</u>
2610-06	For bounties on seals	<u>250 00</u>
	Total	<u>\$20,250 00</u>
	Total, Department of Natural Resources	<u>\$21,500 00</u>

Service of the Department of Corporations and Taxation.

Reimbursement for Loss of Taxes.

2612-01	For reimbursing cities and towns for loss of taxes on land used for state institutions and certain other state activities, as certified by the commissioner of corporations and taxation for the calendar year nineteen hundred and fifty-nine, for the reimbursement of certain towns as authorized by section seventeen B of chapter fifty-eight of the General Laws and for reimbursing certain towns as authorized by chapters seven hundred and one and five hundred and seventy-nine of the acts of nineteen hundred and fifty-six	<u>\$850,000 00</u>
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Item		
2612-02	For the reimbursement of cities and towns for abatements granted, as provided by section eight A of chapter fifty-eight and section five of chapter fifty-nine of the General Laws	\$200,000 00
	Total	<u>\$1,050,000 00</u>
	Total, Department of Corporations and Taxation	<u>\$1,050,000 00</u>

Service of the Department of Education.

2613-01	For reimbursement to cities and towns of a portion of the cost of a program for extended school services for certain children of certain employed mothers, as authorized by sections twenty-six A to twenty-six F, inclusive, of chapter seventy-one of the General Laws	\$2,515 00
2613-02	For the reimbursement of certain cities and towns for sight saving classes, as provided by law	18,550 00
2613-03	For assisting small towns in providing themselves with school superintendents, as provided by law	210,000 00
2613-04	For the reimbursement of certain towns for the transportation of pupils as provided by law; provided, that a sum equivalent to the payments under this item shall be transferred to the General Fund from the receipts of the income tax	6,197,182 00
2613-05	For the reimbursement of certain cities and towns for a part of the expenses of maintaining agricultural and industrial vocational schools, as provided by law	4,600,000 00
2613-06	For reimbursement of certain cities and towns for adult English-speaking classes	118,000 00
2613-07	For the reimbursement of certain towns for the transportation of pupils, as authorized by section eight A of chapter seventy-four of the General Laws; provided, that a sum equivalent to the payments under this item shall be transferred to the General Fund from the receipts of the income tax	120,000 00
2613-19	For the reimbursement of certain cities and towns maintaining extended courses of instruction, as authorized by section seventy-eight of chapter seventy-one of the General Laws	17,500 00
	Total	<u>\$11,283,747 00</u>

School Building Assistance Commission.

2613-08	For reimbursement of certain cities and towns for part of the cost of construction of school projects as authorized by chapter six hundred and forty-five of the acts of nineteen hundred and forty-eight as amended; provided, that a sum equivalent to the payments under this item shall be transferred to the General Fund from the receipts of the income tax	\$11,000,000 00
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School Lunch and Commodity Distribution Program.

2613-09	For the reimbursement of cities and towns for partial assistance in the furnishing of lunches to school children, as authorized by chapter five hundred and thirty-eight of the acts of nineteen hundred and fifty-one, and if necessary for supplementing federal funds allocated for the special milk program; provided, that notwithstanding any provisions of law to the	
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Item

contrary, reimbursements so authorized to be paid from state funds shall not exceed fifty per cent of the total reimbursement authorized by the national school lunch act; and, provided further, that a sum equivalent to the payments under this item shall be transferred to the General Fund from the receipts of the income tax \$1,860,000 00

Education of Deaf and Blind Pupils.

2613-10 For the reimbursement of certain cities and towns for day classes of the deaf and of the blind, as provided by sections twenty-eight and thirty-three of chapter sixty-nine of the General Laws \$140,000 00

Teachers' Retirement Board.

2613-11 For reimbursement of certain cities and towns for pensions to retired teachers \$2,300,000 00
2613-16 For the payment of retirement assessments of teachers formerly in military or naval service, as authorized by section nine of chapter seven hundred and eight of the acts of nineteen hundred and forty-one, as amended, prior appropriation continued.

Total \$2,300,000 00

Division of Youth Service.

2613-12 For reimbursement of cities and towns for tuition, including transportation to and from school, of children attending public schools \$13,100 00
2613-15 For the reimbursement of cities and towns for part of the cost of employing school adjustment counsellors, as authorized by section forty-six G of chapter seventy-one of the General Laws 200,000 00

Total \$213,100 00

Total, Department of Education \$26,796,847 00

Service of the Department of Public Welfare.

2619-01 For the payment of suitable aid to certain dependent children \$8,320,000 00
2619-02 For the burial by cities and towns of indigent persons who have no legal settlement 2,000 00
2619-03 For expenses in connection with smallpox and other diseases dangerous to the public health 249,000 00
2619-04 For the support of sick indigent persons who have no legal settlement 835,000 00
2619-05 For temporary aid given by cities and towns to indigent persons with no legal settlement, and to shipwrecked seamen, and for the transportation of indigent persons under the charge of the department 1,850,000 00
2619-06 For the reimbursement of cities and towns for total and permanent disability assistance, as provided by chapter one hundred and eighteen D of the General Laws 5,700,000 00

Item		
2619-07	For tuition in the public schools, including transportation to and from school, of children boarded by the department, for the twelve months ending June thirtieth, nineteen hundred and fifty-nine	\$650,000 00
2619-08	For reimbursement to cities and towns for old age assistance, as provided by law	38,000,000 00
2619-09	Notwithstanding the provisions of section ten of chapter sixty-four B of the General Laws regulating payments from receipts under said chapter to cities and towns, heretofore made without appropriation, a sum not exceeding three million three hundred thousand dollars is hereby appropriated from the General Fund for such payments, and the total amounts to be paid by the state treasurer on or before November twentieth, nineteen hundred and fifty-nine, from the sum herein appropriated, shall be no less than one million six hundred and fifty thousand dollars	3,300,000 00
Total, Department of Public Welfare		\$58,906,000 00

Service of the Department of Public Health.

Bureau of Tuberculosis and Institutions.

2620-01	For the payment of subsidies for tubercular patients in certain hospitals	\$271,000 00
Total, Department of Public Health		\$271,000 00

APPROPRIATIONS MADE FROM THE HIGHWAY FUND.

Service of the Department of Public Works.

Highway Activities.

2900-17	For projects for the construction and maintenance of town and county ways, as provided in subdivision two (a) of section thirty-four of chapter ninety of the General Laws; provided, that amounts made available by this item in any fiscal year shall be available for expenditure in the succeeding fiscal year; and, further provided, that not less than three hundred thousand dollars of the sum herein appropriated shall be available for maintenance projects on said town and county ways	\$5,750,000 00
2900-18	For aiding cities and towns in the repair and improvement of public ways, as provided by section twenty-six of chapter eighty-one of the General Laws; except, that the state's contribution shall be at an annual rate not to exceed two hundred and seventy-five dollars per mile for the calendar year nineteen hundred and sixty, the provisions of chapter six hundred and eighty-nine of the acts of nineteen hundred and forty-five and chapter seven hundred and six of the acts of nineteen hundred and forty-nine notwithstanding; and, provided, that the amount appropriated for the purpose in any fiscal year shall be available for expenditure in the succeeding fiscal year	2,600,000 00
Total, Department of Public Works		\$8,350,000 00

DEBT SERVICE APPROPRIATIONS.

APPROPRIATIONS MADE FROM THE GENERAL FUND.

Interest and Redemption of Debt.

Item		
2410-00	For the payment of interest on the direct debt of the commonwealth, to be in addition to the amount appropriated in item 2951-00, prior appropriation continued; provided, however, that the deficit existing in this item at the close of the nineteen hundred and fifty-nine fiscal year shall be charged to the surplus account of that fiscal year and not carried forward to the fiscal year nineteen hundred and sixty	\$6,814,000 00
2420-00	For certain serial bonds maturing, to be in addition to the amount appropriated in item 2952-00, and to be in addition to any amounts made available by section eighteen of this act, prior appropriation continued; provided, that to reimburse the General Fund for the cost of debt service on account of highway expenditures made in accordance with the provisions of chapter six hundred and eighty-nine of the acts of nineteen hundred and fifty-four, as amended, the comptroller shall transfer to the General Fund the sum of two hundred and forty-six thousand two hundred dollars from the Highway Fund	23,039,846 00
Total, Interest and Redemption of Debt		<u>\$29,853,846 00</u>

APPROPRIATIONS MADE FROM THE HIGHWAY FUND.

Interest and Redemption of Debt.

2951-00	For the payment of interest on the direct debt of the commonwealth, to be in addition to the amount appropriated in item 2410-00, prior appropriation continued .	\$11,923,358 00
2952-00	For certain serial bonds maturing, to be in addition to the amount appropriated in item 2420-00, prior appropriation continued	28,052,000 00
Total, Interest and Redemption of Debt		<u>\$39,975,358 00</u>

APPROPRIATIONS PAYABLE FROM THE STATE RECREATION AREAS FUND.

Interest and Redemption of Debt.

4081-00	For the payment of interest on certain bonded debt of the commonwealth, to be in addition to any amounts otherwise available for the purpose, prior appropriation continued	\$142,388 00
4082-00	For certain serial bonds maturing, to be in addition to any amounts otherwise available for the purpose, prior appropriation continued	370,000 00
Total, Interest and Redemption of Debt		<u>\$512,388 00</u>

SECTION 2A. For the purpose of making available for expenditure in the fiscal year nineteen hundred and sixty certain balances of appropriations which otherwise would revert on June thirtieth, nineteen hundred and fifty-nine, the unexpended balances of the items shown below are hereby reappropriated:

0406-05	8254-11	8601-24
0406-07	8254-20	8602-84
1301-23	8254-24	8602-85
1812-21	8255-07	8602-86
2202-05	8255-22	8602-89
2220-23	8255-30	8602-90
2900-41	8255-32	8602-91
2926-07	8255-33	8602-92
2926-19	8255-35	8702-24
2931-53	8255-36	8702-25
2931-56	8255-37	8807-25
3809-22	8255-38	8902-24
7613-05	8255-39	8902-36
7617-11	8255-45	8902-37
7617-16	8255-46	8902-38
7717-48	8255-55	8902-60
7720-01	8255-57	8902-80
7786-02	8255-82	9102-01
		9111-01

SECTION 3. Wherever, in section two of this act, it is provided that transfers shall be made from a fund, account or receipts, of a specific sum, a percentage of payments, or a sum equivalent to payments, such transfers of a specific sum shall be made upon the effective date of this act, and all others shall be made quarterly unless otherwise provided; except, that at the close of a fiscal year, the amount equivalent to payments in a continuing account shall be construed to mean the amount of such appropriation.

SECTION 4. No moneys appropriated under this act shall be expended for reimbursement for the expenses of meals for persons while traveling within or without the commonwealth at the expense thereof, unless such reimbursement is in accordance with rules and rates established in accordance with section twenty-eight of chapter seven of the General Laws.

SECTION 5. The allowance to state employees for expenses incurred by them in the operation of motor vehicles owned by them and used in the performance of their official duties shall not exceed eight cents a mile.

No state-owned motor vehicle shall be used for providing transportation for state officers or employees between their domiciles and places of employment nor shall any expense be incurred for the garaging of such vehicles except under regulations approved by the commission on administration and finance.

SECTION 6. Amounts included for permanent positions in sums appropriated in section two for personal services are based upon schedules of permanent positions and salary rates as approved by the joint

committee on ways and means, and, except as otherwise shown by the files of said committee, a copy of which shall be deposited with the division of personnel and standardization, no part of sums so appropriated in section two shall be available for payment of salaries of any additional permanent position, or for payments on account of reallocations of permanent positions, or for payments on account of any change of salary range or compensation of any permanent position, notwithstanding any special or general act to the contrary; provided, that no vacancy occurring in any classified permanent position included in said schedules of permanent positions may be filled in any manner except upon approval as required by rules and regulations established under the provisions of paragraph six of section forty-five of chapter thirty of the General Laws; and, provided further, that no part of sums appropriated in section two shall be available for the payment of overtime service to any employee of the commonwealth without the prior written approval of such overtime by the commission on administration and finance, upon recommendation of the director of the division of personnel and standardization, except where such overtime service is essential to replace the service of an employee necessary for the care of patients or inmates in institutions operated by the commonwealth.

SECTION 7. In addition to the payment of regular salaries, sums appropriated for personal services in the fiscal year nineteen hundred and sixty shall be available for the payment of such other forms of compensation as may be due under existing statutes, or under the provisions of rules and regulations made in accordance with said statutes.

SECTION 8. All federal subventions and grants available to the commonwealth under any act of congress and not otherwise authorized to be received shall be paid into the treasury of the commonwealth; provided, however, that applications for such subventions and grants, and for transfers within such subventions and grants, shall be subject to the approval of the commission on administration and finance. All federal subventions and grants received by the commonwealth may be expended without specific appropriation if such expenditures are otherwise in accordance with law.

SECTION 9. Notwithstanding the provisions of section fifty-one of chapter thirty of the General Laws, or any other provision of law, the state purchasing agent is hereby authorized during the fiscal year nineteen hundred and sixty to incur liabilities and incidental expenses for the purchase of supplies, as provided by said section fifty-one, including material to be disposed of as surplus, so called, by the federal government through agencies of the federal government, in an amount not exceeding three hundred and fifty thousand dollars, in addition to any amount heretofore provided for the purpose, and the comptroller may certify for payment such incidental expenses and liabilities so incurred to an amount not exceeding three hundred and fifty thousand dollars, in addition to any amount heretofore provided for the purpose.

SECTION 10. No agency of the commonwealth receiving an appropriation under section two of this act shall make any expenditure for any document printed, mimeographed or prepared in any other way,

whether for outside or interdepartmental circulation, unless publication of such document shall have been approved by the state purchasing agent, and the state purchasing agent is hereby authorized and directed to require such agencies to summarize and consolidate such documents when feasible, and each document authorized to be printed which is four pages or more in length shall state on its face the estimated cost per copy, including the cost of paper, printing and binding. Notwithstanding any special or general law, complete original manuscripts of annual reports of state agencies, whenever printed in full or in summarized or consolidated form or in case such report is not printed, shall be filed with the secretary of the commonwealth. Except as otherwise provided by law, agencies selling documents shall do so at not less than the stated estimated cost; provided, however, that such agencies may dispose of excess copies of documents no longer current as provided by rules and regulations of the commission on administration and finance.

SECTION 11. Notwithstanding the salary schedule adopted in chapter seven hundred and twenty-nine of the acts of nineteen hundred and fifty-six or any other provision of law, the rate of compensation of each officer and employee whose position is classified under the provisions of chapter thirty of the General Laws shall be limited to an increase not in excess of one thousand dollars per annum over the rate paid to such employee on September thirtieth, nineteen hundred and fifty-six; provided, however, that any such employee may receive an increase in excess of one thousand dollars if said increase is the result of a step-in-range duly authorized by law; and, provided further, that on and after October first, nineteen hundred and fifty-seven, any officer or employee who has been prevented from receiving the maximum of his salary range by the provisions of section nine of chapter seven hundred and forty-six of the acts of nineteen hundred and fifty-six or of corresponding sections in succeeding appropriation acts shall, on completing a year of service at the rate of compensation as so limited, receive an annual increase of an amount equal to a step in range of the job group to which his title is assigned or an increase to the maximum of the range, whichever is the lesser.

SECTION 12. Notwithstanding the provisions of paragraph (1) of section forty-six of chapter thirty of the General Laws, a salary differential is hereby authorized to be paid, in accordance with rules and regulations to be established by the director of the division of personnel and standardization, with the approval of the commission on administration and finance, to employees in the nursing services who are employed on evening or night tours of duty, and the establishment of such rules and regulations shall not be subject to chapter thirty A of the General Laws.

SECTION 13. The surplus property agency in the department of education is hereby authorized to expend during the fiscal year nineteen hundred and sixty for the purposes of the surplus property agency fund, in addition to amounts available in said fund, an amount not exceeding fifty thousand dollars; provided, however, that no expenditure or commitment shall be incurred from the amount of the aforesaid fifty thousand dollar authorization in excess of amounts ap-

proved therefrom by the commission on administration and finance, at the written request of the surplus property agency; and, provided, further, that any amounts expended or commitments incurred under this authorization shall be paid or provided for from receipts of said surplus property agency fund prior to the close of the fiscal year.

SECTION 14. The effective date of the appropriation accounts, subsidiary accounts and authorizations in section two of this act shall be July first, nineteen hundred and fifty-nine. However, beginning June first, nineteen hundred and fifty-nine, obligations may be incurred against these appropriation accounts or subsidiary accounts, if any, thereunder, for items to be delivered or for services to be rendered on and after July first, nineteen hundred and fifty-nine; provided, they are in accordance with law and the amounts thereof do not exceed the amount of the appropriation account or subsidiary account. Where the allotment of an appropriation account or subsidiary account is a condition precedent to expenditure, the obligations shall not exceed the amount allotted for said appropriation account or subsidiary account. The certified copies of the schedules as provided for in section twenty-seven of chapter twenty-nine of the General Laws shall be filed with the comptroller and the budget commissioner to permit the effective operation of this section on June first, nineteen hundred and fifty-nine. Where the allotment of an appropriation account or subsidiary account is required by law, allotments shall be made to permit the effective operation of this section on June first, nineteen hundred and fifty-nine.

SECTION 15. Notwithstanding any provision of law to the contrary, during the entire fiscal year nineteen hundred and sixty, for the payment of classified personal services, the fiscal year shall be from July first, nineteen hundred and fifty-nine, through June twenty-fifth, nineteen hundred and sixty. Classified personal services for June twenty-sixth, twenty-seventh, twenty-eighth, twenty-ninth and thirtieth, nineteen hundred and sixty, shall be charged to the next fiscal year.

SECTION 16. For the purpose of allocating charges for engineering services rendered during fiscal nineteen hundred and sixty as a part of the direct cost of the projects for which they were incurred, the comptroller is hereby directed to transfer to Water System Bond Issue Accounts 9104-06 and/or 9104-07 from the following items such amounts as may be certified to him by the commissioner of the metropolitan district commission as chargeable to said items for personal services rendered by the personnel of the construction division upon the projects provided for in said items:

8329-00	9104-05	9107-33
8602-91	9107-01	9107-34
9102-01	9107-02	9107-35
9103-01	9107-21	9107-36
9103-02	9107-22	9107-39
9103-03	9107-23	9114-01
9103-04	9107-25	9117-01
9104-03	9107-26	9118-01
9104-04	9107-31	

SECTION 17. The budget commissioner is hereby directed to send a copy of sections three to fifteen, inclusive, of this act to each departmental, divisional and institutional head immediately following passage of this act.

SECTION 18. Notwithstanding any general or special law to the contrary, including such provisions of section fifty-six of chapter twenty-nine of the General Laws, as most recently amended by chapter two hundred and seventy-two of the acts of nineteen hundred and fifty-three, relating to reversions, the unenumbered funds of the bond issue accounts listed below shall revert as of the effective date of this act and shall be used for the payment of bonds maturing which were issued to finance said accounts. At the close of each fiscal year thereafter, any unenumbered balances remaining in said bond issues shall revert in accordance with the provisions of section fifty-six of chapter twenty-nine.

From the amounts authorized in the following accounts:—

Chapter 756 of the Acts of 1951.

7704-13	7719-04
7713-01	7719-06
7717-01	7719-07
7717-15	7720-01
7717-22	7720-10
7717-43	7722-83
7717-44	7722-84
7717-47	7722-88
7717-48	7729-92
	7750-01

Chapter 604 of the Acts of 1952.

7604-10	7617-20
7613-01	7617-21
7613-05	7619-02
7613-12	7619-04
7617-02	7622-01
7617-11	7629-01
7617-16	7629-03
	7650-01

Chapter 660 of the Acts of 1953.

8654-07	8654-24
8654-08	8654-26
8654-11	8654-28
8654-15	8654-29
8654-19	8654-31
8654-20	8654-32
8654-21	8654-35

Chapter 471 of the Acts of 1954.

8255-05	8255-38
8255-06	8255-39
8255-07	8255-43
8255-10	8255-44
8255-11	8255-45
8255-15	8255-46
8255-16	8255-55
8255-17	8255-57
8255-18	8255-64
8255-21	8255-65
8255-22	8255-67
8255-23	8255-68
8255-25	8255-74
8255-30	8255-75
8255-32	8255-76
8255-33	8255-82
8255-35	8255-83
8255-36	8255-84
8255-37	8255-85

From the amounts authorized for the following purposes:—

Chapter 574 of the Acts of 1955.

Drainage and Flood Control, the sum of \$250,000.

Chapter 699 of the Acts of 1955.

August and October Flood Relief, the unencumbered balance.

Notwithstanding the provisions of this section, any project authorized by an item listed in this section which, on the effective date of this act, has an amount encumbered on the books of the comptroller may be supplemented from the amount provided in item 8359-05 of section two of chapter six hundred and fifty of the acts of nineteen hundred and fifty-eight where necessary to meet the cost of unexpected contingencies for said projects.

SECTION 19. Notwithstanding the provisions of section twenty-nine of chapter twenty-nine of the General Laws, the budget commissioner is hereby directed to limit the transfer of funds between subsidiary accounts, established as provided in section twenty-seven of said chapter twenty-nine, to those transfers required to meet unforeseen emergencies where funds otherwise are not available to protect the public interest. The budget commissioner shall file forthwith, on the approval of any such transfer, a copy of the authorization with the House and Senate committees on Ways and Means.

SECTION 20. Except as otherwise provided in section thirteen of chapter seventy-five of the General Laws, no agency of the Common-

wealth receiving an appropriation under section two of this act shall make any expenditure for consultant services, so called, or services coded in accordance with the expenditure code manual under the subsidiary title '03 Services—Non-employees' unless the rate of compensation for such services shall have been approved by the commission on administration and finance upon the recommendation of the director of the division of personnel and standardization. The said director shall, immediately upon the approval of any such rate or rates, file copies of the schedule or schedules of approved rates with the comptroller and with the House and Senate committees on Ways and Means.

SECTION 21. Sections one to thirteen of this act shall take effect as of July first, nineteen hundred and fifty-nine; sections fourteen through twenty shall take effect upon the passage of this act.

Approved July 31, 1959.

Chap. 434. AN ACT AUTHORIZING THE CITY OF BEVERLY TO PAY A CERTAIN UNPAID BILL TO MERRIMACK-ESSEX ELECTRIC COMPANY.

Be it enacted, etc., as follows:

SECTION 1. The city of Beverly is hereby authorized to appropriate money for the payment of, and after such appropriation the treasurer of said city is hereby authorized to pay, an unpaid bill incurred by said city in the amount of five hundred thirteen dollars and seventy-one cents to Merrimack-Essex Electric Company for electricity furnished to said city in the year nineteen hundred and fifty-seven, which bill was rendered after appropriations available to pay the same had expired.

SECTION 2. This act shall take effect upon its passage.

Approved July 31, 1959.

Chap. 435. AN ACT VALIDATING CERTAIN BY-LAWS OF THE TOWN OF WEST BOYLSTON.

Be it enacted, etc., as follows:

SECTION 1. All by-laws, including zoning by-laws, and amendments thereof, of the town of West Boylston adopted during the years nineteen hundred and forty-six, nineteen hundred and forty-seven, nineteen hundred and forty-nine, nineteen hundred and fifty, nineteen hundred and fifty-two, nineteen hundred and fifty-three, nineteen hundred and fifty-four, nineteen hundred and fifty-six, nineteen hundred and fifty-seven, and nineteen hundred and fifty-eight are hereby confirmed and made valid, notwithstanding the failure to comply with the provisions of section thirty-two of chapter forty or section nine of chapter forty A of the General Laws, or with any other provision of law.

SECTION 2. This act shall take effect upon its passage.

Approved July 31, 1959.

Chap. 436. AN ACT RESTORING CIVIL SERVICE STATUS AS DENTIST IN THE DIVISION OF YOUTH SERVICE TO DR. I. WILFRED SMITH.

Be it enacted, etc., as follows:

Notwithstanding any provision of law to the contrary, I. Wilfred Smith, D. M. D., a former permanent employee of the commonwealth, whose status as such employee was changed without legal authority, is hereby reinstated as of the effective date of this act in the position of dentist in the division of youth service, without loss of civil service, retirement or other rights. Dr. Smith shall be allowed full credit for retirement purposes for the period from July first, nineteen hundred and forty-eight to the effective date of this act, provided that he pays into the annuity savings account fund of the state employees' retirement system the total amount that would have been deducted had he continued to be a member of said system during said period, plus interest.

Approved July 31, 1959.

Chap. 437. AN ACT DESIGNATING THE MUSIC SHELL IN THE MYSTIC VALLEY PARKWAY IN THE CITY OF MEDFORD AS THE MONSIGNOR JOHN B. CONDON MUSIC SHELL.

Be it enacted, etc., as follows:

The music shell erected and maintained by the metropolitan district commission in the Mystic Valley Parkway in the city of Medford shall be known and designated as the Monsignor John B. Condon Music Shell. Said commission is hereby authorized and directed to affix thereto a suitable tablet or marker bearing said designation.

Approved July 31, 1959.

Chap. 438. AN ACT AUTHORIZING THE INCLUSION IN MOTOR VEHICLE LIABILITY POLICIES OF DEATH AND DISABILITY BENEFITS AND COVERAGE FOR DAMAGES CAUSED BY THE OPERATION OF UNINSURED MOTOR VEHICLES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 175 of the General Laws is hereby amended by striking out section 111C, as amended by chapter 287 of the acts of 1948, and inserting in place thereof the following section:—*Section 111C.* A policy of insurance issued under subdivision (b) of clause Sixth of section forty-seven insuring any person against legal liability for loss or damage on account of the injury or death of any other person may also insure, or an endorsement or rider may be attached thereto to insure, irrespective of any such legal liability, any person, including the named insured under the policy, in respect to (1) the reasonable expense of medical, surgical, x-ray, dental (including prosthetic devices), ambulance, hospital, professional nursing and funeral expenses and (2), in the case of a motor vehicle liability policy as defined in section thirty-four A of chapter ninety, disability benefits on account of injury and death benefits to dependents, beneficiaries or personal representatives on account of death resulting

from the ownership, maintenance or use of motor vehicles. The provisions of sections one hundred and eight shall not apply to any such policy or any endorsement or rider providing for any or all of the benefits permitted by this section.

SECTION 2. Said chapter 175 is hereby further amended by inserting after section 111C the following section:—*Section 111D.* A policy of motor vehicle liability insurance issued under subdivision (b) of clause Sixth of section forty-seven, or an endorsement or rider attached thereto, may provide for the payment of all sums which the insured or his legal representative shall be legally entitled to recover as damages from the owner or operator of an uninsured motor vehicle because of bodily injury, sickness or disease, including death resulting therefrom, sustained by the insured, caused by accident and arising out of the ownership, maintenance or use of such uninsured motor vehicle. Such policy or endorsement or rider shall provide that determination as to whether the insured or his legal representative is legally entitled to recover such damages, and if so the amount thereof, shall be made by agreement between the insured or such representative and the insurer or, if they fail to agree, by arbitration. The provisions of section one hundred and eight shall not apply to any such policy or endorsement or rider providing for the payment of the sums permitted by this section.

Approved July 31, 1959.

Chap. 439. AN ACT TO PROVIDE FOR APPEALS AND THE GRANTING OF VARIANCES IN CONNECTION WITH MATTERS RELATING TO ELEVATORS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 22 of the General Laws is hereby amended by inserting after section 11 the following section:—*Section 11A.* There shall be in the department of public safety, but not under the control of the commissioner, a board to be known as the board of elevator appeals, which shall consist of the commissioner or a member of the department designated by him and six members to be appointed by the governor, with the advice and consent of the council for terms of six years each. One of such members shall be a consulting engineer, one a representative of a liability insurance company licensed to write elevator insurance in the commonwealth, one a representative of building owners, one a representative of manufacturing plant owners, one an experienced elevator contractor, and one a representative of labor. No member of the board of elevator regulations shall serve as a member of the board of elevator appeals. Upon the expiration of the term of a member appointed by the governor, his successor shall be appointed in the same manner for a term of six years. Any vacancy shall be filled in the manner aforesaid for the remainder of the unexpired term. The chairman of the board shall be designated from time to time by the governor.

The board may make such rules or by-laws, not inconsistent with law, as it may deem necessary in the performance of its duties and may establish forms of appeals and petitions, and reasonable fees for the filing thereof. The board shall hold only such meetings as are

required to perform its duties. Time, place and notice of all meetings shall be required by rules or by-laws. A majority of said board, constituted as above provided, may transact business, but a lesser number may adjourn from time to time.

No member shall act as a member of the board, or vote as such, in connection with any matter as to which his private right, distinct from the public interest, is immediately concerned.

Each appointive member of said board shall be paid twenty-five dollars for each day while in the actual performance of his duties as such, but not exceeding one thousand dollars in any fiscal year, and shall also receive from the commonwealth all expenses necessarily incurred by him in connection with his official duties.

Such clerical, technical and other assistants as may be required by the board shall be assigned to it by the commissioner.

SECTION 2. Chapter 143 of the General Laws is hereby amended by striking out section 70, as amended by chapter 257 of the acts of 1957, and inserting in place thereof the following section:—*Section 70.* (a) Whoever is aggrieved by an interpretation, order, requirement or direction of an inspector or inspector of buildings or other person charged with the enforcement of any provision of law, code, rule or regulation relating to the installation or alteration of elevators may within ten days after the service or notice thereof appeal from such interpretation, order, requirement or direction to the board of elevator regulations. Whoever is or will be aggrieved by the application of any provision of law, code, rule or regulation relating to the installation or alteration of elevators, may file a petition for a variance therefrom with said board, whether or not compliance with such provision is required at the time of filing or at a future date on which such provision becomes effective. After such notice as said board shall direct, a public hearing shall be had before the board at an early and convenient time and place fixed by it, not later than thirty days after the entry of such appeal or petition, unless such time is extended by agreement with the appellant or petitioner. Any such party may appear in person or by agent or attorney at such hearing. The board shall within thirty days after such hearing, unless such time is extended by like agreement, issue an appropriate decision or order reversing, affirming or modifying in whole or in part said interpretation, order, requirement or direction or postponing the application thereof or granting or denying a variance. In the case of a petition for a variance the board shall grant a variance if, owing to conditions especially affecting the particular building or installation involved, the enforcement of any provision of law, code, rule, or regulation relating to elevators, would do manifest injustice or cause substantial hardship, financial or otherwise, to the appellant or any occupant of the appellant's building or would be unreasonable under the circumstances or condition of the property; provided, that desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of such provision of law, code, rule or regulation. In exercising its powers under this paragraph, the board of elevator regulations may impose limitations both of time and of use, and a continuation of the use permitted may be conditioned upon compliance with regulations

made and amended from time to time thereafter. A copy of such order or decision of the board shall be sent forthwith by registered mail to all interested parties.

(b) Within thirty days after receipt of any decision or order of the board of elevator regulations, any person aggrieved thereby may file an appeal therefrom to the board of elevator appeals established under section eleven A of chapter twenty-two. After such notice as said board shall direct said board shall hold a public hearing on such appeal at an early and convenient time and place fixed by it, not later than thirty days after the entry of such appeal, unless such time is extended by agreement with the appellant. Any such party may appear in person or by agent or attorney at such hearing. Said board shall hear all pertinent evidence and determine the facts, and, upon the facts as so determined make such decision or order, including the granting of any variance in accordance with the standards therefor set forth in paragraph (a) as may be required. Such decision or order of the board of elevator appeals shall be made within a reasonable time and not later than sixty days after such hearing, unless such time is extended by like agreement. In exercising its powers under this paragraph the board of elevator appeals may impose limitations both of time and of use, and a continuation of the use permitted may be conditioned upon compliance with regulations made and amended from time to time thereafter. A copy of such decision or order shall be sent forthwith by registered mail to all interested parties.

(c) Any person aggrieved by a decision of the board of elevator appeals, whether or not previously a party to the proceeding, or any municipal officer or board, may appeal to the superior court sitting in equity for the county in which the building or installation concerned is situated; provided, that such appeal is filed in said court within thirty days after receipt of notice of such decision. It shall hear all pertinent evidence and determine the facts, and, upon the facts as so determined, annul such decision if found to exceed the authority of such board, or make such other decree as justice and equity may require. The foregoing remedy shall be exclusive, but the parties shall have all rights of appeal and exception as in other equity cases. Costs shall not be allowed against the board of elevator appeals unless it shall appear to the court that such board acted with gross negligence or in bad faith or with malice in making the decision appealed from. Costs shall not be allowed against the party appealing from the decision of such board unless it shall appear to the court that said appellant or appellants acted in bad faith or with malice in making the appeal to the court.

(d) Compliance with any interpretation, order, requirement or direction of an inspector or inspector of buildings or other person charged with the enforcement of any provision of law, code, rule or regulation relating to the installation or alteration of elevators or with any provision of law, code, rule or regulation relating thereto, other than an order made under section sixty-five prohibiting the use of an elevator because of its dangerous condition, or with any decision or order of the board of elevator regulations or of the board of elevator appeals shall be excused pending the final determination of any appeal or petition hereunder.

SECTION 3. The six members first appointed by the governor to the board of elevator appeals, established under section eleven A of chapter twenty-two of the General Laws, as inserted by section one of this act, shall serve for terms of one, two, three, four, five or six years, respectively, as the governor shall determine. Upon the expiration of the term of each such member his successor shall be appointed for a term of six years, as provided by said section eleven A of said chapter twenty-two.

Approved July 31, 1959.

Chap. 440. AN ACT EXTENDING TO CERTAIN STREETS IN THE BACK BAY AREA OF THE CITY OF BOSTON THE APPLICABILITY OF THE LAW RELATIVE TO THE REMOVAL FROM PUBLIC WAYS IN THE DOWNTOWN AREA OF SAID CITY OF CERTAIN ILLEGALLY PARKED VEHICLES.

Be it enacted, etc., as follows:

SECTION 1. The fourth sentence of section 2 of chapter 263 of the acts of 1929, as appearing in section 1 of chapter 369 of the acts of 1954, is hereby further amended by inserting after the word "Laws", in line 21, the following words:—or parked or standing on Beacon street, Marlborough street or Commonwealth avenue, between Arlington street and Massachusetts avenue; on Exeter street, Fairfield street, Gloucester street, Hereford street or Bay State road; Berkeley street, Clarendon street or Dartmouth street between Beacon street and Newbury street; or on Massachusetts avenue, between Boylston street and Harvard Bridge.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of the city of Boston, subject to the provisions of its charter, but not otherwise.

Approved July 31, 1959.

Chap. 441. AN ACT AUTHORIZING THE SELECTMEN OF THE TOWN OF BROOKLINE TO APPOINT THE MEMBERS OF THE BOARD OF PARK COMMISSIONERS.

Be it enacted, etc., as follows:

SECTION 1. There shall be in the town of Brookline a board of park commissioners, consisting of three persons appointed by the selectmen of said town, which shall have all the powers and duties now or from time to time conferred or imposed by law upon boards of park commissioners. Upon the initial appointment of the members of the board of park commissioners established under this act, the terms of office of the members of the board of park commissioners elected under authority of section two of chapter forty-five of the General Laws shall terminate. The selectmen shall appoint the initial members of the board of park commissioners for terms of one, two and three years, respectively, from the first day of May next following such appointment, or until their successors are qualified; and thereafter the selectmen shall annually, before the first day of May, appoint one such commissioner for a term of three years from the first day of May. Said commissioners shall serve without compensation.

SECTION 2. This act shall be submitted for acceptance to the voters of the town of Brookline at the annual town meeting in the year nineteen hundred and sixty in the form of the following question which shall be placed upon the official ballot to be used for the election of town officers at said meeting:—"Shall an act passed by the General Court in the year nineteen hundred and fifty-nine, entitled 'An Act authorizing the selectmen of the town of Brookline to appoint the members of the board of park commissioners', be accepted?" If a majority of the votes in answer to said question is in the affirmative, then this act shall thereupon take full effect, but not otherwise.

Approved July 31, 1959.

Chap. 442. AN ACT TO INCLUDE THE CHAIRMAN OF THE WATER RESOURCES COMMISSION AS A MEMBER OF THE NEW ENGLAND INTERSTATE WATER POLLUTION CONTROL COMMISSION AND TO REDUCE FROM FOUR TO THREE THE NUMBER OF COMMISSIONERS TO BE APPOINTED BY THE GOVERNOR.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the inclusion of the chairman of the water resources commission as a member of the New England Interstate Water Pollution Control Commission, and to reduce the number of members on said water pollution control commission from four to three, thereby promoting the efficiency of each of said commissions by avoiding duplication of work, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public welfare and convenience.

Be it enacted, etc., as follows:

SECTION 1. Chapter 421 of the acts of 1947 is hereby amended by striking out section 3 and inserting in place thereof the following section:—*Section 3.* After the aforesaid compact shall become effective and operative as provided in section two, the governor, with the advice and consent of the council, shall designate or appoint three commissioners who, with the commissioner of public health and chairman of the water resources commission, shall represent the commonwealth as members of the New England Interstate Water Pollution Control Commission, hereinafter called the commission. Any of the three commissioners so designated or appointed may be state officials, and all shall be named with due regard to interests concerned with interstate water pollution problems. Upon the expiration of the term of an appointee who is not a salaried state official his successor shall be appointed for a term of three years. Vacancies shall be filled for the remainder of unexpired terms, in the same manner as original appointments are made. The designations of state officials other than the commissioner of public health and chairman of the water resources commission, may be changed whenever in the opinion of the governor such change is desirable. Sections eight to twelve, inclusive, of chapter thirty of the General Laws shall apply at all times to commissioners who are not serving as salaried state officials during their terms hereunder. Any commissioner who is a state official may delegate from time to time a

deputy or other subordinate in his department to attend and participate in any meeting of or hearing by or other proceeding of the commission, with authority to vote as the representative of or substitute for said commissioner. The terms of commissioners first appointed, who are not then holding salaried state offices, shall be considered to have begun on the date when the compact aforesaid shall become effective and operative in accordance with section two.

SECTION 2. This act shall take effect on July thirty-first, nineteen hundred and fifty-nine.

Approved August 7, 1959.

Chap. 443. AN ACT MAKING APPROPRIATIONS FOR THE MAINTENANCE OF MIDDLESEX COUNTY, ITS DEPARTMENTS, BOARDS, COMMISSIONS AND INSTITUTIONS, OF SUNDRY OTHER SERVICES, FOR CERTAIN PERMANENT IMPROVEMENTS, FOR INTEREST AND DEBT REQUIREMENTS, AND TO MEET CERTAIN REQUIREMENTS OF LAW AND GRANTING A COUNTY TAX FOR SAID COUNTY.

Whereas, The deferred operation of this act would result in unnecessarily extending the period during which county expenditures would be made in anticipation of appropriation, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. To provide for the maintenance of Middlesex county, its departments, boards, commissions and institutions, of sundry other services, for certain permanent improvements, for interest and debt requirements, and to meet certain requirements of law, the following sums for the several purposes and subject to the conditions specified in section two are hereby appropriated, subject to the provisions of law regulating the disbursement of county funds and the approval thereof for the year nineteen hundred and fifty-nine:—

MIDDLESEX COUNTY.

Item		
1.	For interest on county debt	\$15,000 00
3.	For county commissioners, salaries and expenses	53,546 16
4.	For transportation and expenses of county and acting commissioners	2,000 00
5.	For clerk of courts, salaries and expenses	230,779 25
6.	For county treasurer, salaries and expenses	56,518 95
7.	For sheriff, salary and expenses	10,100 00
8.	For registries of deeds, salaries and expenses ...	740,009 77
8a.	For registry of probate, salaries and expenses ..	38,870 31
9.	For law library, salaries and expenses	42,543 80
10.	For highways, including state highways, bridges and land damages	821,741 47
11.	For examination of dams	5,000 00
12.	For criminal costs in superior court	348,535 06
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees	484,324 38

Item		
14.	For district courts, salaries and expenses	\$1,316,408 05
15.	For medical examiners and commitments of in- sane	72,000 00
16.	For jail and house of correction, maintenance and operation	1,035,898 47
17.	For training school	305,404 58
18.	For court houses and registry buildings, mainte- nance and operation	422,736 27
20.	For agricultural school or county aid to agricul- ture, maintenance and operation	99,428 77
21.	For state reservation, maintenance and operation, Walden pond	122,728 28
24.	For non-contributory pensions	108,000 00
25.	For contributory retirement system and super- visory expenses	131,358 35
26.	For miscellaneous and contingent expenses	27,767 00
27.	For unpaid bills of previous years	33,900 00
28.	For reserve fund	25,000 00
30.	For forest fire patrol	3,000 00
39.	For group insurance	58,000 00
Total Amount of Appropriations		\$6,610,598 92
Less Estimated amount available for Reduction of County Tax		1,484,299 74
And the county commissioners of Middlesex County are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of . . .		\$5,126,299 18

SECTION 2. Sums appropriated in section one are based upon detailed schedules approved by the joint committee on counties, copies of which are deposited with the director of accounts.

Said director shall file with the county commissioners and the county treasurer of Middlesex county a certification of the amounts above appropriated as set forth in the approved schedules for said county. Except as provided by this act or except as otherwise provided by law, no liability may be incurred and no expenditure shall be made in excess of the amount available in an existing appropriation for a function, a main group, a class or a sub-class.

Transfers within an appropriation from a main group to another main group may be made upon written request of the authorized official of the organization unit with the written approval of said county commissioners, and copies of said request and approval shall be filed with the county treasurer; provided, however, that no transfer shall be made from the main groups "personal services" or "equipment" to another main group nor shall any transfer be made from any other main group into the main groups "personal services" or "equipment".

Transfers within an appropriation between classes and between sub-classes within a main group may be made by the authorized official of the organization unit whenever in his opinion public necessity and

convenience so requires; provided, however, that no transfer shall be made within the classes of the main groups "personal services" or "equipment".

Amounts included for permanent positions in sums appropriated in section one for personal services are based upon schedules of permanent positions and salary rates as approved by the joint committee on counties and, except as otherwise shown by the files of said committee, a copy of which shall be deposited with the county personnel board, no part of sums so appropriated in section one shall be available for payment of salaries of any additional permanent positions, or for payments on account of reallocations of permanent positions, or for payments on account of any change of salary range or compensation of any permanent positions, notwithstanding any special or general act to the contrary.

Moneys appropriated under this act for the purchase of equipment shall be expended for the purposes specified in the schedules as approved by the joint committee on counties and for no other purpose.

No direct drafts against the account known as the reserve fund shall be made, but transfers from this account to other accounts may be made to meet extraordinary or unforeseen expenditures upon the request of the county commissioners with the approval of the director of accounts.

SECTION 3. No expense incurred for mid-day meals by county officers and employees, other than those who receive as part of their compensation a non-cash allowance in the form of full or complete boarding and housing, and those county officers and employees who are stationed beyond commuting distance from their homes for a period of more than twenty-four hours, shall be allowed by any county; provided, that officers or employees who have charge of juries or who have the care and custody of prisoners, insane persons or other persons placed in their charge by a court or under legal proceedings for transfer to or from court to an institution or from institution to institution and persons certified by a district attorney as engaged in investigation shall be reimbursed for the expense of mid-day meals when necessarily engaged on such duty; and provided, further, that county officers and employees in attendance at meetings and conferences called by or for any group or class on a statewide basis shall be so reimbursed.

No moneys appropriated under this act shall be expended by county officers or employees for telephone service furnished to such officers or employees at places other than regular county offices.

SECTION 4. The allowance to county officers and employees for expenses incurred by them in the operation of motor vehicles owned by them or by any member of their immediate families and used in the performance of their official duties shall not exceed eight cents a mile, except in cases where a higher allowance is specifically provided by statute; provided, that in the case of commitments of the insane the justice of the court ordering the commitment may order a higher rate. No expenditures shall be made for travel outside the commonwealth for attendance at conferences or conventions.

SECTION 5. Any provision of general or special law to the contrary notwithstanding, any county officer or employee whose salary

rate on July first, nineteen hundred and fifty-seven, was limited to an increase in rate of one thousand dollars shall receive an increase in salary rate of not more than one step in his salary grade, effective on his anniversary date or on July first, nineteen hundred and fifty-nine, in accordance with approved list filed with the county personnel board by the joint committee on counties. *Approved August 7, 1959.*

Chap. 444. AN ACT INCREASING THE AMOUNT OF REAL PROPERTY OF BLIND PERSONS TO BE EXEMPTED FROM TAXATION, AND PROVIDING THAT SUCH EXEMPTION BE BASED ON THE AMOUNT OF THE EQUITY OF SAID PERSONS IN SUCH PROPERTY.

Be it enacted, etc., as follows:

SECTION 1. Section 5 of chapter 59 of the General Laws is hereby amended by striking out clause Thirty-seventh, as amended by section 2 of chapter 88 of the acts of the current year, and inserting in place thereof the following clause:—

Thirty-seventh, Real property, to the amount of three thousand dollars, of a blind person who is a legal resident of the commonwealth, whether such property be owned by him separately or jointly or as a tenant in common; provided, that such property is occupied by such person as his domicile, and provided, further, that the value of such property does not exceed eight thousand dollars exclusive of the value of the mortgage interest held by persons other than the person to be exempted in such mortgaged real estate as may be included in said whole estate or combined property. Notwithstanding any contrary provision of section fifty-nine, application for abatement or exemption as provided in this clause may be made on or before October first of the year following the year to which the tax relates.

SECTION 2. This act shall take effect as of January first, nineteen hundred and fifty-nine and shall apply to taxes assessed in said year and in subsequent years. *Approved August 7, 1959.*

Chap. 445. AN ACT ESTABLISHING A PENALTY FOR ASSAULT OR ASSAULT AND BATTERY BY CERTAIN PRISONERS ON THEIR CUSTODIANS OR GUARDS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 127 of the General Laws is hereby amended by inserting after section 38A, inserted by chapter 295 of the acts of 1953, the following section:—*Section 38B.* A prisoner in any correctional institution of the commonwealth who commits an assault or an assault and battery upon an officer, guard or other employee of such institution shall be punished by imprisonment in the state prison for not more than five years. Such sentence shall begin from and after all sentences currently outstanding and unserved at the time of said assault or assault and battery.

SECTION 2. Section 129 of said chapter 127, as most recently amended by section 66 of chapter 770 of the acts of 1955, is hereby further amended by adding at the end the following paragraph:—

If during the term of imprisonment of a prisoner confined in a correctional institution of the commonwealth, such prisoner shall commit any offense of which he shall be convicted and sentenced, all deductions hereunder from the former sentence of imprisonment of such prisoner shall be thereby forfeited. *Approved August 7, 1959.*

Chap. 446. AN ACT RELATIVE TO ERECTING, ALTERING, PROVIDING EGRESSSES FROM AND INSPECTING REST HOMES AND CERTAIN BUILDINGS USED BY CHILDREN'S FOSTER CARE AGENCIES.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 143 of the General Laws is hereby amended by striking out the definition of "Institution", inserted by section 1 of chapter 662 of the acts of 1955, and inserting in place thereof the following definition:—

"Institution", any hospital, sanatorium, convalescent or nursing home, infirmary maintained in a city or town, private infirmary or rest home, licensed by and under the supervision of the department of public health; any hospital, sanatorium or establishment, public or private, licensed by and under the supervision of the department of mental health under the provisions of section forty of chapter one hundred and twenty-three; and any building used or occupied for the purpose of providing group care therein by any children's foster care agency licensed by the department of public welfare under the provisions of section fifteen of chapter one hundred and nineteen.

SECTION 2. Section 15 of said chapter 143 is hereby amended by striking out the first sentence, as most recently amended by section 2 of said chapter 662, and inserting in place thereof the following sentence:—No building which is designed to be used, or in which alteration shall be made for the purpose of using it, or continuing its use, in whole or in part, as a public building, or as a factory, workshop or mercantile or other establishment, and to have accommodations for ten or more employees, or as a hospital, sanatorium, convalescent or nursing home, infirmary maintained in a city or town, private infirmary or rest home housing three or more patients, licensed by and under the supervision of the department of public health, grandstand, stadium, bleacher or arena, or for the purpose of providing group care therein by a children's foster care agency licensed by the department of public welfare under the provisions of section fifteen of chapter one hundred and nineteen and no building more than two stories in height designed to be used above the second story, or in which alteration shall be made for the purpose of using it, or continuing its use, in whole or in part, as an office building, dormitory, hotel, family hotel, apartment house, boarding house, lodging house or tenement house, and to have eight or more rooms above said story, shall be erected, and no alteration shall be made therein, until a copy of the plans and specifications thereof has been deposited with a supervisor of plans by the person causing its erection or alteration or by the architect thereof.

SECTION 3. Section 21 of said chapter 143 is hereby amended by striking out the first sentence, as most recently amended by section 3 of said chapter 662, and inserting in place thereof the following sentence:—The owner, lessee or mortgagee in possession of any building in whole or in part used as a public building or as a factory, workshop, mercantile or other establishment, and which has accommodations for ten or more employees, or of a hospital, sanatorium, convalescent or nursing home, infirmary maintained in a city or town, private infirmary or rest home, licensed by and under the supervision of the department of public health, building used or occupied for the purpose of providing group care therein by any children's foster care agency licensed by the department of public welfare under the provisions of section fifteen of chapter one hundred and nineteen, a grandstand, stadium, bleacher or arena, or of an office building, dormitory, hotel, family hotel, apartment house, boarding house, lodging house or tenement house which has eight or more rooms above the second story, or in which ten or more persons are accommodated, lodge or reside above the second story, to which building sections fifteen to sixty, inclusive, apply, shall provide such building with proper egresses or other means of escape from fire sufficient for the use of all persons employed, lodged or resident therein; provided, that in all buildings subject to this section, other than mercantile establishments, hotels and buildings used solely for office purposes, such egresses or means of escape from fire shall also be sufficient for the use of all persons accommodated or assembled therein; and, in such mercantile establishments, hotels and buildings used solely for office purposes, shall be sufficient, to the greatest extent compatible, in the opinion of the inspector, with the reasonable use thereof, for the use of all persons accommodated or assembled therein; and provided, further, that no owner, lessee or mortgagee in possession of a building subject to any provision of this section shall be deemed to have violated this provision unless he has been notified in writing by an inspector as to what additional egresses or means of escape from fire are necessary, and for thirty days has neglected or refused to provide the same.

SECTION 4. Said chapter 143 is hereby further amended by striking out section 33, as most recently amended by section 4 of said chapter 662, and inserting in place thereof the following section:—*Section 33.* In every city, town and district wherein there is in force a building code, so called, established under authority of section three or corresponding provisions of earlier law or established by or under authority of any other provision of law, the provisions of sections fifteen, seventeen, twenty, twenty-one, twenty-one A, twenty-one B, twenty-one C, twenty-four, twenty-five, twenty-eight, twenty-nine, thirty, thirty-one, forty-two, forty-three, forty-nine, fifty-one, fifty-two, fifty-three, fifty-four, fifty-seven and fifty-nine relative to buildings other than churches, theatres, special halls, public halls, school-houses and buildings owned or occupied by the commonwealth or by any county, or other than hospitals, sanatoria, convalescent or nursing homes, infirmary maintained in a city or town, private infirmary or rest home, licensed by and under the supervision of the department of public health, buildings used or occupied for the purpose of providing

group care therein by any children's foster care agency licensed by the department of public welfare under the provisions of section fifteen of chapter one hundred and nineteen, hotels, family hotels, grandstands, stadia, bleachers or arenas, shall, unless otherwise provided, be enforced by the inspector or inspectors of buildings of such city, town or district and the terms "supervisor of plans", "chief of inspections" and "inspector", as used in said sections and in sections fifty-five and fifty-six, shall include an inspector of buildings of such city, town or district, and shall be enforced in accordance with the regulations authorized by section fifty-four; in all other cities and towns the provisions of said sections shall be enforced in accordance with their specific terms.

SECTION 5. Section 4 of chapter 148 of the General Laws is hereby amended by striking out the last paragraph, added by section 6 of said chapter 662, and inserting in place thereof the following paragraph:—

The marshal or the head of a fire department to whom he may delegate authority, shall make an inspection every three months of institutions as defined in section one of chapter one hundred and forty-three, licensed by and under the supervision of the department of public health, or licensed by the department of public welfare, and shall make a report of such inspection to each such department on forms submitted to the marshal by such department for this purpose.

Approved August 7, 1959.

Chap. 447. AN ACT PROVIDING THAT IN THE COMPUTATION OF THE ASSETS OF AN INSURANCE COMPANY AVAILABLE FOR THE PAYMENT OF LOSSES IN THIS COMMONWEALTH AN ELECTRONIC DATA PROCESSING MACHINE SHALL BE INCLUDED.

Be it enacted, etc., as follows:

Section 11 of chapter 175 of the General Laws is hereby amended by striking out the first paragraph, as most recently amended by chapter 539 of the acts of 1947, and inserting in place thereof the following paragraph:—Beside the reserve provided for in sections nine and ten he shall, except as provided in section twelve, charge to each company as a liability all unpaid losses and claims for losses, and all other debts and liabilities, including in the case of a stock company its capital stock and including, in the case of a mutual company with a guaranty capital or guaranty fund, such guaranty capital or guaranty fund. He shall allow to the credit of a company in the account of its financial condition only such assets as are available for the payment of losses in this commonwealth, including an electronic data processing machine, provided that such machine cost at least one hundred thousand dollars and that said cost is to be amortized in full over a period not to exceed ten years, and including all assets deposited with officers of other states or countries for the security of the policyholders of such company, or assets deposited as collateral for bonds given for the security of the policyholders of a company in lieu of assets deposited with officers of other states or countries, provided such deposit is made with a national bank, savings bank or trust company at its principal place of

business in this commonwealth which has been approved by the commissioner; but no holding or parcel of real estate shall be given a higher value than would be adequate to yield at three per cent annual interest the average amount of its net rental for three years next preceding, except that if a company shows to his satisfaction that the actual value of any of its real estate is greater than the value so ascertained, then the actual value of the said real estate as determined by the commissioner shall be allowed. The commissioner may, in his discretion, require any company to furnish such information as may be needed to substantiate the values above prescribed.

Approved August 7, 1959.

Chap. 448. AN ACT ESTABLISHING AN ADDITIONAL OPTIONAL STANDARD FORM OF CITY CHARTER UNDER WHICH THE CITY GOVERNMENT IS VESTED IN A MAYOR AND A CITY COUNCIL ELECTED PARTLY AT LARGE AND PARTLY BY WARDS, SAID MAYOR AND CITY COUNCILLORS BEING NOMINATED IN PARTY PRIMARIES.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 43 of the General Laws is hereby amended by inserting after the definition of "Plan E", inserted by section 1 of chapter 378 of the acts of 1938, the following definition:—

"Plan F", a city government and legislative body composed of a mayor and a city council, the councillors being elected partly at large and partly from wards of the city, with the mayor and city councillors to be nominated in party primaries.

SECTION 2. Said chapter 43 is hereby further amended by striking out section 8 and inserting in place thereof the following section:—

Section 8. The petition shall be substantially in the following form:

To the city council of the city of

We the undersigned, qualified voters of the city, respectfully petition your honorable body to cause to be submitted to a vote of the voters the following question:—"Shall the city of adopt the form of government defined as Plan (A, B, C, D, E or F, as it is desired by petitioners), and consisting of (describe plan briefly, as government by a mayor and nine councillors elected at large; or government by a mayor and councillors elected partly at large and partly from wards or districts; or government by five commissioners, one of whom shall be the mayor; or government by a city council, one member of which shall be the mayor, and having a city manager; or government by a city council to be elected at large by proportional representation, one member of which shall be the mayor, and having a city manager; or government by a mayor and councillors elected partly at large and partly from wards or districts with the mayor and city councillors to be nominated in party primaries and elected in party elections, as the case may be), with elections to be held (in the case of Plan A, B, or C, annually, or biennially in every odd numbered year, as it is desired by petitioners, or, in the case of Plan D, E or F, biennially in every odd numbered year) (and in the case of Plan F) and the mayor and the members of the city council to receive for their

services such salary, not exceeding (in the case of a city having a population of less than fifty thousand, \$15,000 annually, or, in the case of a city having a population of fifty thousand or more, \$20,000 annually) for the mayor and (in the case of a city having a population of less than fifty thousand, \$2,000 annually, or, in the case of a city having a population of fifty thousand or more, \$3,000 annually) for a member of the city council, as the city council may by ordinance determine, according to chapter forty-three of the General Laws relating to city charters?"

The petition may be in the form of separate sheets, each sheet containing at the top thereof the heading above set forth, and when attached together and offered for filing the several papers shall be deemed to constitute one petition, and there shall be endorsed thereon the name and address of the person presenting the same for filing.

SECTION 3. The first sentence of section 9 of said chapter 43, as appearing in chapter 155 of the acts of 1954, is hereby further amended by striking out, in line 1, the word "Within" and inserting in place thereof the words:—In the case of a petition for the adoption of Plan A, B, C, D or E, within.

SECTION 4. Said chapter 43 is hereby further amended by inserting after section 9 the following section:—*Section 9A.* In the case of a petition for the adoption of Plan F, within seventy days after such petition has been filed with him by the petitioners, the city clerk shall, except as provided in section ten, transmit a certified copy thereof to the city council, except that the signatures upon the petition need not be copied but in place thereof the city clerk shall state the number of signatures of registered voters thereon, certified as such by the registrars of voters or the election commission.

If any question arises as to the validity or sufficiency of the petition or of the signatures thereon, any registered voter of the city may appeal to the state ballot law commission for a determination of said question, by filing a notice of such appeal with the city council and with the clerk of the election commission or the board of registrars of voters within eighty days after the date the petition was filed with the city clerk by the petitioners, and the state ballot law commission shall give such petitioner a hearing on said question and shall within thirty days render a decision thereon. Said commission shall submit notice of its decision forthwith to the city council.

Any person aggrieved by the decision of the state ballot law commission may appeal to the superior court sitting in equity for the county in which the city is located; provided, that such appeal is filed in said court ten days after such decision is rendered. The court shall hear all pertinent evidence and determine the facts and, upon the facts as so determined, annul such decision if found to be erroneous in law or not warranted by the evidence, or make such other decree as justice and equity may require.

Within ten days after the expiration of said period of eighty days, if no appeal has been taken, or after receipt of a decision on any appeal in favor of the validity or sufficiency of such petition or signatures, as the case may be, the city council shall, unless the number of valid signatures certified to it is found to be less than the number

required by section seven, transmit such certified copy to the city clerk. If the said certified copy is so transmitted to the city clerk at least thirty days before the regular city election in the odd year, the question proposed by the petitioner shall be submitted upon the official ballot to a vote of the registered voters of the city at said regular city election; otherwise the city clerk shall forthwith transmit such certified copy to the state secretary who shall cause it to be placed upon the official ballot for use in said city at the state election in the even year, next following the aforesaid city election.

If the said certified copy is so transmitted to the city clerk and then transmitted by him to the state secretary at least sixty days before the regular state election in the even year, the question proposed by the petitioner shall be caused to be placed by the state secretary upon the official ballot for use in said city at the state election in the even year; otherwise, the city clerk shall cause it to be placed upon the official ballot for use in said city at the regular city election in the odd year, next following the aforesaid state election.

SECTION 5. Said chapter 43 is hereby further amended by striking out section 16, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:—*Section 16.* No primary or caucus for municipal officers shall be held, except in a city under Plan F. Candidates for mayor, city council and school committee, and assessors, if elected by the people, shall, except in a city under Plan F, be nominated in accordance with section six of chapter fifty-three.

SECTION 6. Said chapter 43 is hereby further amended by inserting after section 16 the following section:—*Section 16A.* The city primary and election under Plan F shall, except as otherwise provided in this chapter, be conducted under the provisions of the statutes of the commonwealth relating to party primaries and elections. The city primary shall be held on the sixth Tuesday preceding the regular city election. At said primary each political party shall place in nomination a candidate for mayor, six candidates for school committeeman, as many candidates for councillor-at-large as there are councillors-at-large to be elected, and a candidate for councillor from each ward of the city. There shall not be printed on the ballot at such city primary the name of any person as a candidate for nomination for the office of mayor, school committee, or city councillor, unless a certificate from the registrars of voters of the city wherein such person is a registered voter that he is enrolled as a member of the political party whose nomination he seeks is filed with the city clerk on or before the last day for filing nomination papers.

Nominations of candidates, other than party nominations for any offices to be filled at a city election may be made by nomination papers containing the name of the candidate, his residence with street and number, if any, the office for which he is nominated and the principle, if any, which he represents in not more than three words. If a candidate is nominated otherwise than by a political party, the name of a political party shall not be used in his political designation, nor shall the name of any organization which has been adjudicated subversive under section 18 of chapter 264, be used in his political designation.

Such nomination papers shall be signed in the aggregate by not less than such number of voters as will equal three per cent of the entire vote cast for governor at the preceding biennial state election in the electoral district or division for which the officers are to be elected, but in no event by less than fifty voters.

A nomination paper for city office shall be filed with the city clerk by a responsible person who shall sign his name and address. The written acceptance of the candidate shall be filed therewith.

Such independent nomination papers for city offices shall be filed not later than the last day fixed for the filing of party nomination papers for the city primaries.

SECTION 7. Section 17A of said chapter 43 is hereby amended by adding at the end the following sentence:—The provisions of this section shall not be applicable in a city under Plan F.

SECTION 8. Said chapter 43 is hereby further amended by inserting after section 17A the following section:—*Section 17B.* In a city under Plan F the mayor and the members of the city council shall receive for their services such salary as the city council shall by ordinance determine, and they shall receive no other compensation from the city. The compensation for the mayor shall not exceed fifteen thousand dollars annually in cities having a population of less than fifty thousand or twenty thousand dollars annually in cities having a population of fifty thousand or more. The compensation for city councillors shall not exceed two thousand dollars annually in cities having a population of less than fifty thousand, or three thousand dollars annually in cities having a population of fifty thousand or more.

SECTION 9. The first paragraph of section 26 of said chapter 43, as most recently amended by section 9 of said chapter 378 of the acts of 1938, is hereby further amended by striking out, in line 2, the words "and one hundred and two" and inserting in place thereof the words:— , one hundred and two and one hundred and twenty-one.

SECTION 10. Said chapter 43 is hereby further amended by striking out section 29, as most recently amended by section 2 of chapter 25 of the acts of 1951, and inserting in place thereof the following section:—*Section 29.* All contracts made by any department, board or commission where the amount involved is one thousand dollars or more shall be in writing, and no such contract shall be deemed to have been made or executed until the approval of the mayor under Plan A, B, C or F, or of the city manager under Plan D or E, and also of the officer or the head of the department or of the chairman of the board, as the case may be, making the contract is affixed thereto. Any contract made as aforesaid may be required to be accompanied by a bond with sureties satisfactory to the board or official having the matter in charge, or by a deposit of money, certified check or other security for the faithful performance thereof, and such bonds or other securities shall be deposited with the city treasurer until the contract has been carried out in all respects; and no such contract shall be altered except by a written agreement of the contractor, the sureties on his bond, if any, and the officer, department or board, as the case may be, making the contract, with the approval of the mayor under Plan A, B, C, D or F, or of the city manager under Plan E, affixed thereto.

SECTION 11. Section 30 of said chapter 43 is hereby amended by striking out the first sentence, as amended by section 7 of chapter 459 of the acts of 1948, and inserting in place thereof the following sentence:—At the request of any department, and with the approval of the mayor and city council under Plan A, B, C or F, or with the approval of the city manager and the city council under Plan D or E, the city council may, in the name of the city, purchase, or take by eminent domain, under chapter seventy-nine, any land within its limits for any municipal purpose.

SECTION 12. Section 31 of said chapter 43, as amended by section 12 of said chapter 378 of the acts of 1938, is hereby further amended by inserting after the words “Plan E”, in line 11, the words:—or F,—so as to read as follows:—*Section 31.* The school committee shall consist of the mayor, who shall be the chairman, and six members elected at large. At the first regular municipal election held in any city after its adoption of one of the plans provided in this chapter, there shall be elected, except as provided in this section, two members to serve for one year, two for two years and two for three years, and annually thereafter there shall be elected two members to serve for three years. If the plan adopted provides for elections to be held biennially, there shall, except under Plan E or F, be elected at the first regular municipal election held under the provisions of such plan, three members to serve for two years and three members to serve for four years, and biennially thereafter three members to serve for four years. After the adoption of Plan E by a city, the six members other than the mayor shall be elected at large for terms of two years each by proportional representation as hereinafter provided.

SECTION 13. The first paragraph of section 44A of said chapter 43, as appearing in section 14 of said chapter 378 of the acts of 1938, is hereby amended by inserting after the words “Plan E”, in line 7, the words:—or F.

SECTION 14. Said chapter 43 is hereby further amended by adding at the end, under the heading PLAN F.—GOVERNMENT BY MAYOR AND COUNCIL ELECTED BY WARDS AND AT LARGE, AND NOMINATED AT PARTY PRIMARIES, the following eleven sections:—

Section 117. The method of city government provided for in the ten following sections shall be known as Plan F.

Section 118. Upon the adoption by a city of Plan F, it shall become operative as provided in sections one to forty-five, inclusive.

Section 119. There shall be a mayor, elected by and from the qualified voters of the city, who shall be the chief executive officer of the city. He shall hold office for the term of two years from the first Monday in January following his election and until his successor is qualified.

Section 120. The legislative powers of the city shall be vested in a city council. One of its members shall be elected by the council annually as its president. In cities having five wards, the council shall be composed of seven members, one from each ward and two at large; in cities having six wards, the city council shall be composed of nine members, one from each ward and three at large; in cities having seven wards, the city council shall be composed of eleven members, one

from each ward and four at large; in cities having eight wards, the city council shall be composed of eleven members, one from each ward and three at large; in cities having nine wards, the city council shall be composed of thirteen members, one from each ward and four at large; in cities having ten wards, the city council shall be composed of fifteen members, one from each ward and five at large; in cities having eleven wards, the city council shall be composed of fifteen members, one from each ward and four at large; in cities having twelve wards, the city council shall be composed of fifteen members, one from each ward and three at large. Each ward councillor shall be a registered voter in the ward from which he seeks election, and shall be elected by and from the qualified voters of that ward. The councillors-at-large shall be elected by and from the qualified voters of the city.

All members of the city council whether elected at large or by wards shall be elected to serve for two years from the first Monday in January following their elections and until their successors are qualified.

Section 121. If a vacancy occurs in the office of mayor by death, removal or resignation at any time during the first year of the term ending December thirty-first, the city clerk shall forthwith order an election to fill such vacancy for the remainder of the unexpired term.

If a vacancy occurs during the second year of the term beginning January first, a meeting of the city council shall be called by the city clerk and the city council shall elect by majority vote one of its members as mayor for the remainder of the unexpired term. If the city council fails so to elect at said meeting or within thirty days thereafter, the president of the city council shall become acting mayor, shall exercise all the rights and powers of mayor and shall be sworn to the faithful discharge of his duties.

If a vacancy occurs at any time in the office of a councillor elected by and from the qualified voters of the city, such vacancy shall be filled forthwith by a majority vote of all the remaining members of the city council for the remainder of the unexpired term.

If a vacancy occurs, before the last six months of the term, in the office of a councillor elected by and from the voters of a ward, the city council shall forthwith order an election to fill such vacancy for the remainder of the unexpired term.

Section 122. Upon the adoption of Plan F, all heads of departments and members of municipal boards, except the school committee, officials appointed by the governor, and assessors if elected by vote of the people, as their terms of office expire, shall be appointed by the mayor without confirmation by the city council.

Section 123. In making his appointments the mayor shall sign and file with the city clerk a certificate in the following form:—

CERTIFICATE OF APPOINTMENT

I appoint (name of appointee) to the position of (name of office), and I certify that in my opinion he is a person specially fitted by education, training or experience to perform the duties of said office, and that I make the appointment solely in the interest of the city.

Mayor.

Section 124. The mayor may remove the head of a department or member of a board by filing a written statement with the city clerk setting forth in detail the specific reasons therefor, a copy of which shall be delivered or mailed to the person thus removed, who may make a written reply, which, if he desires, may be filed with the city clerk; but such reply shall not affect the action taken unless the mayor so determines. This section shall not apply to the school committee, or to officials appointed by the governor, or to assessors if elected by the people.

Section 125. Every order, ordinance, resolution and vote relative to the affairs of the city, adopted or passed by the city council, shall be presented to the mayor for his approval. If he approves it he shall sign it; if he disapproves it he shall return it, with his written objections, to the city council, which shall enter the objections at large on its records, and again consider it. If the city council, notwithstanding such disapproval of the mayor, shall again pass such order, ordinance, resolution or vote by a two thirds vote of all its members, it shall then be in force, but such vote shall not be taken for seven days after its return to the city council. Every such order, ordinance, resolution and vote shall be in force if not returned by the mayor within ten days after it has been presented to him. This section shall not apply to budgets submitted under section thirty-two of chapter forty-four, or to appropriations by a city council under section thirty-three of said chapter.

Section 126. The regular election under Plan F shall take place on the Tuesday next following the first Monday of November in every odd numbered year. The mayor, all members of the city council, the school committee, and any board of trustees or other officers whose election by the voters of the city is required by reason of the fact that the city has accepted any gift, devise or bequest shall be elected at each such election. In the case of offices to be filled by all the voters of the city nomination papers shall be signed by a number of voters as follows:—for mayor, three hundred voters; for school committee, councillor-at-large and any other office, two hundred voters. In the case of ward councillor, nomination papers shall be signed by at least one hundred voters of the ward. In order that their names may be certified on said nomination papers signers shall not be enrolled in any other party than that whose nomination the candidate seeks.

Section 127. Except as otherwise provided in this chapter, all elections held under Plan F shall be subject to all general laws relating to elections and corrupt practices, so far as applicable and not inconsistent with this chapter.

Approved August 10, 1959.

Chap. 449. AN ACT PROHIBITING EAVESDROPPING BY THE USE OF ELECTRONIC DEVICES OR BY WIRE TAPPING.

Be it enacted, etc., as follows:

SECTION 1. Chapter 272 of the General Laws is hereby amended by striking out section 99, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:—*Section 99.* Whoever, except in accordance with an order issued as provided herein,

secretly or without the consent of either a sender or receiver, overhears, or attempts secretly, or without the consent of either a sender or receiver, to overhear, or to aid, authorize, employ, procure, or permit, or to have any other person secretly, or without the consent of either a sender or receiver, to overhear any spoken words at any place by using any electronic recording device, or a wireless tap or electronic tap, or however otherwise described, or any similar device or arrangement, or by tapping any wire to intercept telephone communications, shall be guilty of the crime of eavesdropping and shall be punished by imprisonment for not more than two years or by a fine of not more than one thousand dollars, or both.

Such order may be issued and shall be signed by any justice of the supreme judicial or superior court upon application of the attorney general or a district attorney for the district verified by his oath or affirmation that there are reasonable grounds to believe that evidence of crime may thus be obtained. The finding by a judge or justice that there are reasonable grounds to believe that evidence of crime may thus be obtained shall be final and not subject to review. Said order shall describe or identify (1) the purpose thereof; (2) the location of and the person or persons who are to be so overheard or whose communications are to be so intercepted if known; (3) if telephone communications are to be so intercepted the telephone line if known; (4) the person or persons who are authorized to so overhear or intercept, or the person or persons under whose supervision such overhearing or interception is to be conducted.

In connection with the issuance of such an order, the justice may examine on oath the applicant and any other witness he may produce, for the purpose of satisfying himself of the existence of reasonable grounds to believe that evidence of crime may be thus obtained. The finding by a judge or justice that there are reasonable grounds to believe that evidence of crime may thus be obtained shall be final and not subject to review. Any such order shall be effective for the time specified therein, but not for a period of more than three months, unless extended or renewed by the justice who signed and issued the original order, upon satisfying himself that such extension or renewal is in the public interest. Any such order, together with the papers upon which the application was based, shall be delivered to and retained by the applicant as authority for such interception or directing such overhearing or interception of the telephone communications transmitted over the instrument or instruments described. A true copy of such order shall at all times be retained personally by the judge or justice issuing the same. In case of emergency and when no such justice is available, the attorney general or the district attorney for the district may issue such order, but within seventy-two hours thereafter the said attorney general or district attorney upon oath or affirmation setting forth all the facts, shall apply to a justice of the supreme judicial or superior court for a court order to issue validating the acts of said attorney general or district attorney. If the court refuses, after hearing, to validate such prior order of the attorney general or district attorney, said prior order shall cease to be effective, and no further action thereunder may be taken.

SECTION 2. Said chapter 272 is hereby further amended by striking out section 100, as amended by section 3 of chapter 48 of the acts of 1956, and inserting in place thereof the following section:—*Section 100.* Whoever, except when authorized under section ninety-nine, for the purpose of eavesdropping as defined in section ninety-nine, either on his own account or as the servant or agent of another, permits or acquiesces in the installing of any electronic recording device or any similar device or arrangement, or the tapping of any wire, shall be punished by imprisonment for not more than two years or by a fine of not more than one thousand dollars, or both.

Approved August 10, 1959.

Chap. 450. AN ACT DIVIDING WARD FIVE IN THE CITY OF SALEM INTO TWO WARDS THEREBY INCREASING THE NUMBER OF WARDS IN SAID CITY TO SEVEN.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of law to the contrary, the territory presently comprising ward five in the city of Salem is hereby divided into two wards designated as wards five and seven, respectively, and bounded and described as follows:—

Ward Five: All that part of the city enclosed by a line commencing at the eastern end of New Derby street, at its junction with Lafayette street, thence running westerly through the middle of New Derby street and across Washington street to the middle of the location of the Boston and Maine Railroad main line, thence turning and running southerly to a point which would be the mid-line of Laurel street if extended to the railroad, thence turning and running easterly along the middle of Laurel street and Willow avenue to Salem Harbor, thence by such harbor to the channel of the South River, thence by such channel to Lafayette street to New Derby street, and the point begun at, shall constitute a separate ward, and be denominated Ward Five.

Ward Seven: All that part of the city enclosed by a line commencing at a point on the junction of the middle of the main line location of the Boston and Maine Railroad and the mid-line of Laurel street if extended to the railroad, thence running southwestly by the middle of the said main line of such railroad to the boundary line between Swampscott and Salem, thence turning and running easterly, northeasterly, and northerly by the Swampscott and Marblehead bounds to Salem Harbor, thence by such harbor to a point which is the middle line of Willow avenue thence turning and running westerly along the middle line of Willow avenue, Laurel street, and middle line of Laurel street if extended to a point begun at, shall constitute a separate ward, and be denominated Ward Seven.

For all state primaries and elections hereafter held in said city prior to any antecedent primary of the first biennial state election at which representatives are to be elected from new representative districts established upon the basis of a special enumeration of legal voters under the provisions of the constitution which specifies the number of legal voters residing in said wards five and seven, ward five as existing

previous to such division shall continue and for all such purposes the election officers shall be appointed and hold office and voting lists shall be prepared and all other things required by law shall be done as if there had been no such division; provided, that for the purposes of any municipal election and its antecedent primary or preliminary election, if any, prior to said antecedent primary of said first biennial state election, the new wards five and seven shall be in effect and the mayor of said city shall make such adjustments in the personnel and assignments of election officers as may be necessary.

SECTION 2. This act shall take effect upon its passage.

Approved August 11, 1959.

Chap. 451. AN ACT PROVIDING FOR THE INDEMNIFICATION OF PUBLIC SCHOOL TEACHERS AGAINST CERTAIN ACTIONS AND CLAIMS.

Be it enacted, etc., as follows:

Chapter 41 of the General Laws is hereby amended by inserting after section 100B, added by section 1 of chapter 628 of the acts of 1953, the following section:—*Section 100C.* In addition to the indemnification provided in section one hundred A, a city or town, acting by its school committee, may, out of any funds appropriated for the purpose of this section, which appropriation shall be made in the same manner as appropriations for general school purposes indemnify a teacher in its employ for expenses or damages sustained by him by reason of an action or claim against him for acts done by him while acting as such teacher; provided, that after investigation it shall appear to the school committee that such teacher was at the time the cause of action or claim arose acting within the scope of his employment; and provided, further, that the defence or settlement of such action or claim shall have been made by the city solicitor or town counsel, or, if the town has no town counsel, by an attorney employed for the purpose by the school committee.

Approved August 11, 1959.

Chap. 452. AN ACT AUTHORIZING PAY-ROLL DEDUCTIONS ON ACCOUNT OF CONTRIBUTIONS TO COMMUNITY CHESTS OR UNITED FUNDS IN THE CASE OF CERTAIN COUNTY AND STATE EMPLOYEES.

Be it enacted, etc., as follows:

Chapter 180 of the General Laws is hereby amended by striking out section 17B, inserted by section 1 of chapter 489 of the acts of 1956, and inserting in place thereof the following section:—*Section 17B.* Deductions on pay-roll schedules may be made from the salary of any town, county or state employee of any amount which such employee may specify in writing to the officer, or the head of the department, board or commission, by whom or which he is employed, for the payment of a contribution to a community chest or united fund. Any such authorization may be withdrawn by the employee by giving at least sixty days' notice in writing of such withdrawal to the officer, or the head of the department, board or commission, by whom

or which he is then employed. The treasurer of the town, county or state shall deduct from the salary of such employee such amount of contribution as may be certified to him on the pay-roll and transmit the sum so deducted to the community chest or united fund; provided, that the town, county or state treasurer is satisfied by such evidence as he may require that the treasurer of such community chest or united fund has given to said community chest or united fund a bond, in a form approved by the commissioner, for the faithful performance of his duties, in a sum and with such surety or sureties as are satisfactory to the town, county or state treasurer. *Approved August 11, 1959.*

Chap. 453. AN ACT FURTHER DEFINING THE WATERS IN WHICH THE TAKING OF GROUND FISH BY CERTAIN APPARATUS IS PROHIBITED.

Be it enacted, etc., as follows:

Section 1 of chapter 69 of the acts of 1911 is hereby amended by striking out, in line 4, the words "Pig rock, in the town of Swampscott" and inserting in place thereof the words:—Point of Pines in the city of Revere,—so as to read as follows:—*Section 1.* It shall be unlawful to take flounders or any other ground fish in the waters lying inshore from a line drawn from Pemberton point, in the town of Hull, to Point of Pines in the city of Revere, by beam trawl or by any apparatus other than a hook and line or an ordinary trawl.

Approved August 11, 1959.

Chap. 454. AN ACT AUTHORIZING THE DEPARTMENT OF MENTAL HEALTH TO SELL A QUANTITY OF FILL LOCATED ON CERTAIN LAND UNDER THE JURISDICTION OF SAID DEPARTMENT.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide an advantageous sale of certain fill on land of the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

The department of mental health is hereby authorized to sell, upon such terms and conditions as may be determined by the commissioner of mental health and the commissioner of administration, a quantity of fill located on land under the jurisdiction of said department. The land from which said fill is to be removed is located in the town of Middleborough and is bounded and described as follows:—From the Nemasket river running northerly along the east side of the New York, New Haven and Hartford Railroad track, approximately fourteen hundred feet to the existing brook, then easterly along the brook to the property line of land owned by the commonwealth, then southeasterly approximately fourteen hundred feet to the Nemasket river, then westerly along said river to the starting point, as shown on plan entitled "Map of Lakeville Sanatorium, scale 200 feet = 1 inch", a copy of which is on file in the department of mental health.

Approved August 12, 1959.

Chap. 455. AN ACT CLARIFYING THE PROVISIONS OF LAW RELATIVE TO THE FEES TO BE PAID BY REAL ESTATE BROKERS AND SALESMEN FOR AN ORIGINAL LICENSE.

Whereas, The deferred operation of this act would tend to defeat its purpose which is immediately to clarify the provisions of law relative to the original license fees to be paid by real estate brokers and salesmen, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience and welfare.

Be it enacted, etc., as follows:

Section 87ZZ of chapter 112 of the General Laws, as appearing in section 2 of chapter 726 of the acts of 1957, is hereby amended by striking out paragraph (d) and inserting in place thereof the following paragraph:—

(d) The applicable fee for the issuance of a license shall be adjusted by the board on the basis of each month during which the license originally issued would be valid unless revoked or suspended and, for this purpose, any part of a month shall be considered as a full month.

Approved August 12, 1959.

Chap. 456. AN ACT RELATIVE TO THE PAYMENT OF TAXES BY SAVINGS BANKS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make certain provisions of law apply to returns due and taxes payable on and after November first, nineteen hundred and fifty-nine, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Chapter 63 of the General Laws is hereby amended by striking out section 11, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:—*Section 11.* Every savings bank and every trust company having a savings department, as defined respectively in chapters one hundred and sixty-eight and one hundred and seventy-two, shall pay to the commissioner, on account of its depositors, an annual tax of one half of one per cent, which shall be levied on the amount of the deposits in a savings bank, and on the amount of the deposits in the savings department of a trust company, to be paid as follows: one fourth of one per cent shall be levied upon the average amount of such deposits for the six months preceding May first, and paid on or before May twenty-fifth; and a like percentage shall be levied upon the average amount of such deposits for the six months preceding November first, and paid on or before November twenty-fifth.

SECTION 2. Said chapter 63 is hereby further amended by striking out section 13, as so appearing, and inserting in place thereof the following section:—*Section 13.* Every savings bank and every trust company having a savings department shall semi-annually, on or be-

fore May twenty-fifth and November twenty-fifth, make a return to the commissioner, signed and sworn to by its president and treasurer, of the amount of its deposits if a savings bank, and if a trust company of the amount of deposits in its savings department, on the first day of each of said months, and of the average amount of such deposits for the six months preceeding each of said last mentioned days.

SECTION 3. Said chapter 63 is hereby further amended by striking out section 17, as so appearing, and inserting in place thereof the following section:—*Section 17.* The Massachusetts Hospital Life Insurance Company shall semiannually, on or before May twenty-fifth, and November twenty-fifth, make a return, signed and sworn to by a majority of its board of directors, of the full amount of all money and property, in detail, in its possession or charge as deposits, trust funds or for purposes of investment, and shall, at the time of making such return, pay to the commissioner upon all the same, except upon deposits invested in loans secured by mortgages of real estate taxable in this commonwealth and in bonds or certificates of indebtedness of the United States, a tax at the rate imposed upon savings banks on account of deposits.

SECTION 4. Said chapter 63 is hereby further amended by striking out section 18A, as most recently amended by section 51 of chapter 654 of the acts of 1953, and inserting in place thereof the following section:—*Section 18A.* All provisions of this chapter relative to the assessment, collection, abatement, verification and administration of taxes, including penalties, applicable to domestic business corporations, as defined in section thirty, shall, so far as pertinent, be applicable to taxes under sections eleven and seventeen.

SECTION 5. This act shall apply to returns due and taxes payable on and after November first, nineteen hundred and fifty-nine.

Approved August 12, 1959.

Chap. 457. AN ACT FURTHER DEFINING “AGENCY GIVING DAY CARE TO CHILDREN” AS USED IN THE LAW REGULATING AGENCIES CONDUCTING DAY NURSERIES AND SIMILAR ESTABLISHMENTS.

Be it enacted, etc., as follows:

Chapter 111 of the General Laws is hereby amended by striking out section 58, as appearing in chapter 205 of the acts of 1950, and inserting in place thereof the following section:—*Section 58.* In sections fifty-eight to sixty-two, inclusive, “agency giving day care to children” shall mean and include any institution or place, whether known as a day nursery, nursery school, kindergarten, child play school, progressive school or pre-school, or under any other name, except a Sunday school conducted by a church or other school conducted by a church or by a religious organization, not conducted by the commonwealth or any city or town, which, for compensation or otherwise, receives for temporary custody, with or without stated educational purposes, during part or all of the day apart from their parents, three or more children under seven years of age and not of common parentage, separate and apart from their parents and elsewhere than at the home of one or more of them during part or all of the day.

Approved August 12, 1959.

Chap. 458. AN ACT AUTHORIZING THE ALCOHOLIC BEVERAGES CONTROL COMMISSION TO REINSTATE MARTIN KILLILEA FOR THE SOLE PURPOSE OF RETIREMENT.

Be it enacted, etc., as follows:

Any provision of law to the contrary notwithstanding, the alcoholic beverages control commission shall reinstate Martin Killilea as an employee for the sole purpose of retirement. Upon such reinstatement, said Martin Killilea shall be allowed to apply for retirement under the provisions of section fifty-seven of chapter thirty-two of the General Laws, and his application shall be processed on the same basis as if it had been filed prior to the date of his original retirement.

Approved August 12, 1959.

Chap. 459. AN ACT RELATIVE TO THE HOURS OF VOTING ON CERTAIN REFERENDA IN THE TOWN OF LUDLOW.

Be it enacted, etc., as follows:

The third sentence of section 8 of chapter 336 of the acts of 1929 is hereby amended by striking out, in line 2, the words "two o'clock in the afternoon" and inserting in place thereof the words:—ten o'clock in the forenoon,—so as to read as follows:—The polls shall be opened at ten o'clock in the forenoon and shall be closed at eight o'clock in the evening, and all votes upon any questions so submitted shall be taken by ballot, and the check list shall be used in the several precinct meetings in the same manner as in the election of town officers.

Approved August 12, 1959.

Chap. 460. AN ACT AUTHORIZING THE CITY OF CHICOPEE TO SATISFY AN EXECUTION ISSUED AGAINST THE PLUMBING INSPECTOR OF SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of discharging a moral obligation the city of Chicopee may appropriate and pay the sum of thirty-two hundred fifty-one dollars and seventy-two cents in full satisfaction of an execution issued in the superior court for Hampden county in favor of National Heat Control Company, Inc., of Springfield against Alfred T. Hetu for damages sustained by said company resulting from certain acts of said Alfred T. Hetu while he was acting in his official capacity as plumbing inspector of said city. No payment shall be made hereunder until a release of all claims approved by the city solicitor has been filed with the city auditor and said execution endorsed as having been satisfied in full has been filed with said city solicitor.

SECTION 2. This act shall take effect upon its acceptance by a majority vote of the board of aldermen of said city.

Approved August 13, 1959.

Chap. 461. AN ACT PROVIDING FOR THE TAXING OF CERTAIN GAINS ACCRUING FROM CERTAIN TAKINGS BY EMINENT DOMAIN AND PURCHASES OF LAND.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide for the taxing of gains accruing from certain takings by eminent domain and purchases of land, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Chapter 62 of the General Laws is hereby amended by striking out section 7A and inserting in place thereof the following section:—*Section 7A.* Gains accruing to a person from the taking by eminent domain or purchase by the commonwealth, a political subdivision thereof, or any other body politic or corporate authorized by law to take by eminent domain, of real property for public purposes, provided such person acquired the same by purchase within a period of one year prior to such taking or purchase, shall be taxed at the rate of fifty per cent. Proceeds of taxes received under this section shall, in case the damages or price for such taking or purchase was paid by a county, city, town, district or other body politic or corporate, be remitted by the state treasurer to such county, city, town, district or other body politic or corporate within such time as the commissioner may determine; otherwise such proceeds shall be retained by the commonwealth.

Approved August 13, 1959.

Chap. 462. AN ACT ENABLING THE USE OF CERTAIN FACILITIES FOR THE CARE OF DISEASES OF THE CHEST.

Be it enacted, etc., as follows:

Chapter 111 of the General Laws is hereby amended by inserting after section 91B, inserted by section 6 of chapter 538 of the acts of 1954, the following section:—*Section 91C.* Whenever, in the opinion of the board or officer in charge of a tuberculosis hospital maintained by a city or town, the entire facilities of such hospital are no longer needed for the treatment and care of persons in said city or town suffering from pulmonary tuberculosis, such board or officer may, so long as the department approves, establish and maintain at such hospital a division for the care and treatment of persons suffering from other diseases of the chest; provided, that sufficient beds are at all times available for persons with tuberculosis; and provided, further, that such division is licensed in accordance with sections seventy to seventy-three, inclusive. Subject to the approval of the department, the board or officer in charge of such hospital may, notwithstanding any contrary provisions of this chapter, promulgate rules and regulations for such division, including the charges for care and treatment therein.

Approved August 13, 1959.

Chap. 463. AN ACT PROVIDING FOR THE ENFORCEMENT BY THE STATE BOXING COMMISSION OF THE LAW REQUIRING PAYMENTS TO THE BOXERS' FUND BY CERTAIN LICENSEES.

Be it enacted, etc., as follows:

Section 40A of chapter 147 of the General Laws, inserted by section 3 of chapter 623 of the acts of 1957, is hereby amended by adding at the end the following paragraph:—

The commission shall enforce the provisions of this section.

Approved August 13, 1959.

Chap. 464. AN ACT AUTHORIZING THE TRUSTEES OF BOSTON COLLEGE TO HOLD ADDITIONAL REAL AND PERSONAL ESTATE.

Be it enacted, etc., as follows:

Chapter 123 of the acts of 1863 is hereby amended by striking out section 3, as amended by section 3 of chapter 340 of the acts of 1908, and inserting in place thereof the following section:—*Section 3.* Said corporation may have a common seal, which they may alter or renew at their pleasure, and all deeds sealed with the seal of said corporation, and signed by their order, shall, when made in their corporate name, be considered in law as the deeds of said corporation; and said corporation may sue and be sued in all actions, real, personal or mixed, and may prosecute the same to final judgment and execution by the name of the Trustees of Boston College; and said corporation shall be capable of taking and holding in fee simple or any less estate by gift, grant, bequest, devise, purchase or otherwise, any real or personal estate or interest therein within or without the commonwealth to an amount not exceeding seventy-five million dollars.

Approved August 13, 1959.

Chap. 465. AN ACT EXTENDING THE TIME WITHIN WHICH THE TOWN OF LUDLOW MAY VOTE TO USE CERTAIN PARK LAND FOR SCHOOL PURPOSES.

Be it enacted, etc., as follows:

Section 1 of chapter 182 of the acts of 1955 is hereby amended by striking out, in line 4, the word "five" and inserting in place thereof the word:—ten,—so as to read as follows:—*Section 1.* The town of Ludlow is hereby authorized to use such portion of Veterans' Park, located in said town and situate on Chapin street, as the town, by vote passed at any annual or special town meeting within ten years after the passage of this act, shall determine, for the erection of a public school building or for other school uses, and for all purposes incidental thereto; and after such vote, such portion shall be under the same care and control as other school property. *Approved August 13, 1959.*

Chap. 466. AN ACT PROVIDING FOR THE ISSUANCE OF A FISHING LICENSE TO PARAPLEGICS WITHOUT PAYMENT OF A FEE.

Be it enacted, etc., as follows:

Clause (1) of section 8 of chapter 131 of the General Laws, as appearing in section 1 of chapter 333 of the acts of the current year, is hereby amended by striking out the last paragraph and inserting in place thereof the following paragraph:—

No fee shall be charged for any license issued under this clause to a person over the age of seventy or for a fishing license issued under this clause to a person who is a recipient of old age assistance granted under chapter one hundred and eighteen A, to a person who is blind, or to a person who is a paraplegic. *Approved August 13, 1959.*

Chap. 467. AN ACT AUTHORIZING THE TOWNS OF SHELburnE AND BUCKLAND TO APPROPRIATE MONEY ANNUALLY TO DECORATE AND BEAUTIFY THE BRIDGE OF FLOWERS.

Be it enacted, etc., as follows:

Notwithstanding any provision of any special or general law to the contrary, the selectmen of the towns of Shelburne and Buckland, in order to promote the recreational facilities and advantages of said towns, may expend annually such sums, not to exceed one thousand dollars by each town, as may be appropriated by their respective town meetings, for the purpose of decorating and beautifying the bridge over the Deerfield river, known as the Bridge of Flowers.

Approved August 13, 1959.

Chap. 468. AN ACT FURTHER DEFINING “MILK PRODUCT” AND DEFINING “WHEY POWDER”.

Be it enacted, etc., as follows:

SECTION 1. Section 65G of chapter 94 of the General Laws is hereby amended by striking out the paragraph defining “Milk product”, as appearing in section 1 of chapter 373 of the acts of 1934, and inserting in place thereof the following paragraph:—

“Milk product”, includes pure, clean and wholesome milk fat, butter, evaporated milk, skimmed milk, condensed milk, sweetened condensed milk, condensed skimmed milk, sweetened condensed skimmed milk, dried milk, dried skimmed milk and whey powder.

SECTION 2. Said section 65G of said chapter 94 is hereby further amended by inserting after the paragraph defining “Water ice or ice sherbet”, as so appearing, the following paragraph:—

“Whey powder”, the product resulting from the removal of water from clean, sound cheese whey or casein whey, or both, and containing at least sixty-five per cent of lactose (milk sugar).

Approved August 13, 1959.

Chap. 469. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF THE COUNTY OF NORFOLK TO PROVIDE ADEQUATE ACCOMMODATIONS AND FACILITIES FOR THE DISTRICT COURT OF EAST NORFOLK AT QUINCY.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of providing adequate accommodations and facilities for the district court of East Norfolk at Quincy the county commissioners of Norfolk county may construct and originally furnish and equip additions to the existing district court building in said city.

SECTION 2. For the purpose aforesaid the treasurer of said county, with the approval of the county commissioners, may borrow upon the credit of the county such sums as may be necessary, not exceeding, in the aggregate, two hundred thousand dollars, and may issue bonds or notes of the county therefor which shall bear on their face the words, Norfolk County District Court of East Norfolk Loan, Act of 1959. Each authorized issue shall constitute a separate loan, and such loans shall be payable not more than ten years from their dates. The bonds or notes shall be signed by the county treasurer and countersigned by a majority of the county commissioners. The county may sell the said securities at public or private sale, upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value. Indebtedness incurred hereunder shall, except as herein provided, be subject to chapter thirty-five of the General Laws. The county treasurer, with the approval of the county commissioners, may issue temporary notes of the county, payable in not more than one year from their date, in anticipation of the issue of serial bonds or notes under this act, but the time within which such serial bonds or notes shall become due and payable shall not, by reason of such temporary notes, be extended beyond the time fixed by this act. Any notes issued in anticipation of the serial bonds or notes shall be paid from the proceeds thereof.

SECTION 3. This act shall take full effect upon its acceptance within two years by the county commissioners of Norfolk county, but not otherwise.

Approved August 13, 1959.

Chap. 470. AN ACT TO EXTEND THE SCOPE OF THE ABANDONED PROPERTY LAW.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 200A of the General Laws, as appearing in chapter 801 of the acts of 1950, is hereby amended by striking out the definition of "Person" and inserting in place thereof the following definition:—

(g) "Person", any individual, corporation, joint stock companies, estate, trust, partnership, association, government or political subdivision, public corporation or authority, two or more persons having a joint or common trust or any other legal or commercial entity.

SECTION 2. Said section 1 of said chapter 200A is hereby further amended by adding at the end thereof the following definition:—

(h) "Date prescribed for payment or delivery", the earliest date upon which the owner of property could become entitled to the payment, possession or delivery thereof by demand or other affirmative act.

SECTION 3. Said chapter 200A is hereby further amended by striking out section 5, as amended by chapter 283 of the acts of 1958, and inserting in place thereof the following section:—*Section 5.* All dividends, stocks, bonds, money, credits and claims for money and credits, and all intangible personal property, and the increments of any of them, except deposits and the increments thereon referred to in sections three and four, held by, or in the control of, any person having a residence or principal place of business in this commonwealth, other than a corporation organized under the laws of another state, but including any fiduciary appointed in this commonwealth for such a corporation, for the benefit of any person, or held by, or in the control of, a corporation organized under the laws of another state but having a place of business in this commonwealth, for the benefit of any person whose last known residence or place of business was in this commonwealth, shall be presumed abandoned unless claimed by the beneficiary or person entitled thereto within fourteen years after the date prescribed for payment or delivery. Any dividend, distribution, interest or payment on principal declared, set aside, accumulated or owed with respect to property presumed abandoned under the foregoing provisions of this section shall itself be presumed abandoned.

SECTION 4. Section 8 of said chapter 200A is hereby amended by striking out paragraph (c) (1), as amended by section 3 of chapter 359 of the acts of 1957, and inserting in place thereof the following paragraph:—

(c) (1). Such holder shall, on all accounts over the value of twenty-five dollars, notify such owner by mail, postage prepaid, sent to his last known address on a form approved by the commissioner that certain unclaimed or abandoned property pursuant to law is to be considered abandoned.

Approved August 13, 1959.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, AUGUST 14, 1959.

HONORABLE JOSEPH D. WARD, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

DEAR MR. SECRETARY: — I, Foster Furcolo, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution, the Referendum II, Emergency Measures, hereby declare in my opinion the immediate preservation of the public convenience requires that the law being Chapter 470 of the Acts of 1959, entitled, "An Act to Extend the Scope of the Abandoned Property Law" and the enactment of which received my approval on August 13, 1959, should take effect forthwith.

I further declare that in my opinion said law is an emergency law and the facts constituting the emergency are as follows:

Postponement of the operation of this act for ninety days would defeat its purpose in that it will unnecessarily delay the filing of reports as required under the provisions of section 7 of chapter 200A, as amended.

Very truly yours,

FOSTER FURCOLO,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, AUGUST 14, 1959.

I, Jerome Patrick Troy, Deputy Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at eleven o'clock and fifty-five minutes, A.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter four hundred and seventy of the acts of nineteen hundred and fifty-nine.

JEROME PATRICK TROY,
Deputy Secretary of the Commonwealth.

Chap. 471. AN ACT EXTINGUISHING A CERTAIN ALLEGED PUBLIC RIGHT OF WAY OVER LAND OF THE COMMONWEALTH AT THE DANVERS STATE HOSPITAL.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, or any action taken by the county commissioners of the county of Essex, no portion of the land of the commonwealth at the Danvers state hospital shall be deemed to be in any way subject to an easement for a public way by reason of the laying out of an old road in the town of Danvers over lands held by predecessors in title of the commonwealth, said road having been laid out, so far as is known, by the Court of General Sessions sitting by adjournment in Salem on August fifth, seventeen hundred and sixty-two, the portion of said road laid out over the lands of the predecessors in title of the commonwealth not being in use as a public way in eighteen hundred and seventy-five, when the commonwealth acquired title to the lands, and not having been so used for some considerable period prior thereto; and said location of said old road so far as it is on the commonwealth's land having been entirely fenced off ever since said land was acquired and at no time since then having been used, or open to use, as a public way, shall be deemed to have been discontinued and abandoned as a public way at least from the year eighteen hundred and seventy-five, and the action of the county commissioners of the county of Essex in purporting on July thirty-first, nineteen hundred and fifty-six or any subsequent date thereto to relocate said old road in part over the land of the commonwealth at said Danvers state hospital shall be null and void.

SECTION 2. This act shall take effect upon its passage.

Approved August 13, 1959.

Chap. 472. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF THE COUNTY OF NORFOLK TO PROVIDE ADEQUATE ACCOMMODATIONS AND FACILITIES FOR THE PROBATE COURT AND REGISTRY OF DEEDS AT DEDHAM.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of providing adequate accommodations and facilities for the probate court and registry of deeds at Dedham the county commissioners of Norfolk county may construct and originally furnish and equip additions to the existing registry of deeds building in said town.

SECTION 2. For the purpose aforesaid the treasurer of said county, with the approval of the county commissioners, may borrow upon the credit of the county such sums as may be necessary, not exceeding, in the aggregate, three hundred thousand dollars, and may issue bonds or notes of the county therefor which shall bear on their face the words, Norfolk County Probate Court and Registry of Deeds Loan, Act of 1959. Each authorized issue shall constitute a separate loan, and such loans shall be payable not more than ten years from their dates. The bonds or notes shall be signed by the county treasurer and countersigned by a majority of the county commissioners. The county may sell the said securities at public or private sale, upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value. Indebtedness incurred hereunder shall, except as herein provided, be subject to chapter thirty-five of the General Laws. The county treasurer, with the approval of the county commissioners, may issue temporary notes of the county, payable in not more than one year from their date, in anticipation of the issue of serial bonds or notes under this act, but the time within which such serial bonds or notes shall become due and payable shall not, by reason of such temporary notes, be extended beyond the time fixed by this act. Any notes issued in anticipation of the serial bonds or notes shall be paid from the proceeds thereof.

SECTION 3. This act shall take full effect upon its acceptance within two years by the county commissioners of Norfolk county, but not otherwise.

Approved August 13, 1959.

Chap. 473. AN ACT FURTHER REGULATING THE METHOD OF PAYMENT OF SALARIES TO PERSONS EMPLOYED BY THE COMMONWEALTH.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for a more equitable method of paying the salaries of state employees in order to comply with the varying lengths of the fiscal year for pay purposes, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 31 of chapter 29 of the General Laws, as most recently amended by chapter 386 of the acts of 1949, is hereby further amended by striking out the first sentence and inserting in place

thereof the following two sentences:—Salaries payable by the commonwealth shall for all classified services, unless otherwise provided, be paid monthly through the last Saturday of each month, and shall be in full for all services rendered to the commonwealth by the persons to whom they are paid. Salaries payable by the commonwealth to persons in statutory positions shall be payable in equal monthly payments.

SECTION 2. Section 46 of chapter 30 of the General Laws is hereby amended by striking out paragraph (2), as most recently amended by section 6 of chapter 729 of the acts of 1956, and inserting in place thereof the following paragraph:—

(2) For purposes of salary increments provided for in the general salary schedule, a year of service shall be a period of fifty-two weeks of work. Increments shall commence on the first day of the payroll period in which such increments fall; provided, however, that, if an employee is off the payroll for one or more days, such increment shall be postponed in accordance with the rules and regulations of the division of personnel and standardization.

SECTION 3. Said section 46 of said chapter 30 is hereby further amended by striking out paragraph (3), as most recently amended by section 7 of said chapter 729, and inserting in place thereof the following paragraph:—

(3) Daily rates of all employees shall be computed on the basis of their assigned job groups.

SECTION 4. In any case where an employee's step-in-range would be delayed because of the effective date of this act, such step-in-range shall be accelerated to the week preceding the date it ordinarily would become due.

SECTION 5. This act shall take effect as of June twenty-eighth, nineteen hundred and fifty-nine.

Approved August 13, 1959.

Chap. 474. AN ACT PROVIDING FOR THE ESTABLISHMENT OF A PAY PLAN OF THE COMMONWEALTH FOR PERSONS IN TRAINING.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the establishment of a pay plan of the commonwealth for persons in training, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public welfare and convenience.

Be it enacted, etc., as follows:

Section 45 of chapter 30 of the General Laws is hereby amended by inserting after paragraph (7), as appearing in section 9 of chapter 680 of the acts of 1954, the following paragraph:—

(7A) Subject to the approval of the commission on administration and finance and of the joint committee on ways and means, the director of personnel and standardization shall establish a pay plan for persons in training at or in any agency of the commonwealth; provided, however, that the maximum salary under said plan shall not exceed the minimum salary for job group I under the salary schedule appearing in paragraph (1) of section forty-six.

Approved August 13, 1959.

Chap. 475. AN ACT AUTHORIZING AND DIRECTING THE MASS TRANSPORTATION COMMISSION TO EXERCISE AN OPTION TO PURCHASE CERTAIN LINES OF THE NEW YORK, NEW HAVEN AND HARTFORD RAILROAD COMPANY.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is that the commonwealth exercise an option expiring on August fifteenth, nineteen hundred and fifty-nine, for the purchase of certain property formerly owned by the Old Colony Railroad Company, which property is necessary to provide commuter transportation to and from the city of Boston and Southeastern Massachusetts, therefore, this act is hereby declared to be an emergency law necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of chapter twenty-nine of the General Laws, any other general law or any special law to the contrary, the mass transportation commission, established by chapter four hundred and sixteen of the acts of nineteen hundred and fifty-nine, is hereby authorized, empowered and directed to exercise on behalf of the commonwealth the option, including any extensions thereof, to purchase from The New York, New Haven and Hartford Railroad Company that portion of the Boston group lines extending from Boston to Braintree formerly owned and operated by the Old Colony Railroad Company in accordance with the terms and conditions of the plan of reorganization approved on March sixth, nineteen hundred and forty-four, as confirmed by the consummation order and final decree dated September eleventh, nineteen hundred and forty-seven, by the United States District Court for the district of Connecticut in proceedings for the reorganization of the said The New York, New Haven and Hartford Railroad Company, and to take all steps and to execute all documents as may be necessary in connection with exercising said option.

SECTION 2. Nothing in this act, nor anything done pursuant to it shall be deemed to waive any of the obligations of the charter or franchise of The New York, New Haven and Hartford Railroad Company or of any of the charters or franchises assumed by it, or any obligations imposed on it by any laws of the commonwealth of Massachusetts.

Approved August 13, 1959.

Chap. 476. AN ACT RELATIVE TO THE TRANSFER OF CERTAIN EMPLOYEES OF THE MASSACHUSETTS PORT AUTHORITY TO CERTAIN DEPARTMENTS OF THE COMMONWEALTH.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the transfer of certain employees of the Massachusetts Port Authority to departments of the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Section 22 of chapter 465 of the acts of 1956, as amended by section 10 of chapter 599 of the acts of 1958, is hereby further amended by striking out the first paragraph and inserting in place thereof the following paragraph:—Upon the control of the Mystic River bridge, the airport properties or the port properties becoming vested in the Authority, the employees of said projects whose work is directly related to such projects shall be transferred to the Authority and shall continue to perform the same duties at a salary not less than theretofore and every employee so transferred who immediately prior to such transfer was subject to section nine A of chapter thirty or to chapter thirty-one of the General Laws under a permanent appointment and who has served a probationary period shall continue to serve subject to the provisions of said section nine A of chapter thirty or to sections sixteen A, forty-three and forty-five of said chapter thirty-one as the case may be, whether or not thereafter reclassified, and shall retain all rights to holidays, sick leave and vacations in effect on the effective date of this act; provided, that any person transferred who was not subject to said section nine A or said chapter thirty-one and persons appointed after the effective date of this act shall not be subject to said section nine A of chapter thirty or to any provisions of said chapter thirty-one.

Approved August 13, 1959.

Chap. 477. AN ACT AUTHORIZING THE DEPARTMENT OF EDUCATION TO CONTINUE THE MAINTENANCE AND OPERATION OF THE COMMUNITY COLLEGE AT FITCHBURG AND TO GRANT CERTAIN DEGREES THEREAT TO PERSONS COMPLETING THE REQUIRED COURSE OF INSTRUCTION.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the continued maintenance and operation of the community college at Fitchburg thereby permitting the students enrolled at said community college to complete their course of instruction and obtain their degrees, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public welfare.

Be it enacted, etc., as follows:

Notwithstanding the provisions of section three of chapter six hundred and five of the acts of nineteen hundred and fifty-eight, repealing the power of the department of education to grant certain degrees at community colleges, and the provisions of section four of said chapter six hundred and five, repealing the power of said department to establish community colleges, said department may continue to maintain and operate the community college at Fitchburg, operated in conjunction with the Fitchburg state teachers college, and may grant the degree of Associate in Arts, Associate in Engineering, or Associate in Science to any person completing the required course of instruction in said community college.

Approved August 17, 1959.

Chap. 478. AN ACT RELATIVE TO THE DEFENSES OF AN UNINSURED EMPLOYER IN AN ACTION OF TORT BY AN EMPLOYEE FOR PERSONAL INJURIES SUSTAINED OUTSIDE THE COMMONWEALTH.

Be it enacted, etc., as follows:

Chapter 152 of the General Laws is hereby amended by striking out section 66, as amended by section 9A of chapter 529 of the acts of 1943, and inserting in place thereof the following section:—*Section 66.* In an action to recover damages for personal injury sustained within or without the commonwealth by an employee in the course of his employment or for death resulting from personal injury so sustained it shall not be a defense:

1. That the employee was negligent;
 2. That the injury was caused by the negligence of a fellow employee;
 3. That the employee had assumed voluntarily or contractually the risk of the injury;
 4. That the employee's injury did not result from negligence or other fault of the employer, if such injury arose out of and in the course of employment.
- Approved August 17, 1959.*

Chap. 479. AN ACT AUTHORIZING THE CITY OF PITTSFIELD TO CONVEY CERTAIN PARK LAND TO THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. The city of Pittsfield, acting through its mayor, is hereby authorized to sell and convey to the commonwealth of Massachusetts for use by the military forces of the commonwealth, a certain parcel of land, being part of land held by said city for park purposes and commonly known as Burbank Park, bounded and described as follows:—Beginning at a highway monument set to mark the southwesterly corner of the Boulevard, so called, said monument marking a point in the easterly line of land of the City of Pittsfield (Burbank Park) and a point in the westerly line of land of the Pittsfield Cemetery Corporation said highway monument being also about 1750 feet westerly from the westerly line of Onota street and about 230.50 feet northerly of the northerly line of a private way called Stevenson street; thence westerly in the extension westerly of the southerly line of the Boulevard, so called, 500 feet to a point; thence deflecting to the left and running southerly in a line parallel to the easterly line of land of the city of Pittsfield about 285 feet to a point in the southerly line of land of the city of Pittsfield and in the northerly line of one Chrysanowski; thence deflecting to the left and running easterly in the southerly line of land of the city of Pittsfield and the northerly line of Chrysanowski 500 feet to a point, said last-mentioned point being the southeasterly corner of land of the city of Pittsfield; thence northerly crossing the easterly end of Stevenson street and in the easterly line of land of the city of Pittsfield and the westerly line of land of the proprietors of Pittsfield Cemetery about 285 feet to a

highway monument and the place of beginning. Containing about three and one quarter acres more or less.

Reserving to the city of Pittsfield the right and easement for the maintenance, construction and reconstruction of the existing sewer and water lines in, over and upon a strip of land contained in said parcel, which strip shall be twenty feet in width the center line of which is described as follows:—Beginning at a point at the westerly end of Stevenson street, so called, said point also being in the easterly line of the parcel above-described, said point being 25 feet southerly of the northwesterly corner of the above-mentioned street; thence westerly in the extension westerly of the center line of Stevenson street 98.50 feet to a point; thence deflecting to the right and running northerly and in a line parallel to and 98.50 feet westerly of the easterly line of the first above-described parcel to a point in the extension westerly of the southerly line of the Boulevard, so called.

SECTION 2. This act shall take effect upon its acceptance by the mayor and city council of said city, but not otherwise.

Approved August 18, 1959.

Chap. 480. AN ACT PROHIBITING THE ISSUANCE OF CERTAIN ALCOHOLIC BEVERAGES LICENSES TO PERSONS CONVICTED OF VIOLATION OF FEDERAL OR STATE NARCOTIC DRUGS LAWS.

Be it enacted, etc., as follows:

The fourth paragraph of section 12 of chapter 138 of the General Laws, as appearing in section 1 of chapter 468 of the acts of 1935, is hereby amended by adding at the end the following sentence:—No license shall be issued to any applicant who has been convicted of a violation of a federal or state narcotic drugs law.

Approved August 18, 1959.

Chap. 481. AN ACT AUTHORIZING THE CITY OF LYNN TO CONVEY CERTAIN PARK LAND TO THE LYNN HOUSING AUTHORITY FOR HOUSING FOR ELDERLY PERSONS.

Be it enacted, etc., as follows:

SECTION 1. The city of Lynn is hereby authorized, subject to the approval of the board of park commissioners of said city, to convey for a nominal consideration to the Lynn Housing Authority a certain parcel of park land in said city, being the unused portion of the Magnolia avenue playground, to be filled, improved and used by said Authority for the erection thereon of housing for elderly persons in said city. Said property is bounded and described as follows:—Northwesterly by land of city of Lynn, three hundred eighty and seventy-seven one-hundredths feet; Northeasterly by land of said city, four hundred twenty-six and forty-five one-hundredths feet; Southerly by land of Winslow Bros. & Smith Co., one hundred sixty-three and sixty-four one-hundredths feet; Southerly by land of Ruggiero,

eighty-three and eighty one-hundredths feet; Southwesterly by land of Clark et al., fifty-one and forty one-hundredths feet; Southwesterly by land of O'Connell, fifty-six and thirty-five one-hundredths feet; Southeasterly by land of Clark et al., eighty-five and no one-hundredths feet; Southerly by land of Newhall, forty-five and sixty-four one-hundredths feet; Southerly by land of Wheeler, forty-two and forty-three one-hundredths feet; Southwesterly by land of Osgood, fifty-two and nine one-hundredths feet; Southwesterly by land of Betopoulos, forty-nine and sixty one-hundredths feet; containing ninety-six thousand, three hundred and thirty square feet, more or less, and shown on plan entitled "Plan of Land for Sale by City of Lynn", dated July fifteen, nineteen hundred and fifty-nine, and signed by William B. Hilton, City Engineer.

SECTION 2. This act shall take full effect upon its acceptance during the year nineteen hundred and fifty-nine by vote of the city council of said city, subject to the provisions of its charter, but not otherwise.

Approved August 18, 1959.

Chap. 482. AN ACT PROVIDING FOR THE ALTERATION OF AND THE CONSTRUCTION OF AN ADDITION TO THE BARNSTABLE COUNTY JAIL AND HOUSE OF CORRECTION AND FOR ORIGINALLY EQUIPPING AND FURNISHING SUCH ADDITION.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Barnstable county are hereby authorized to raise and expend a sum of money not exceeding five hundred thousand dollars for the purpose of altering the Barnstable county jail and house of correction, and for the construction of an addition thereto and for originally equipping and furnishing said addition.

SECTION 2. For the purposes set forth in section one, the treasurer of said county, with the approval of the county commissioners, may borrow from time to time on the credit of the county, such sums as may be necessary, not exceeding in the aggregate five hundred thousand dollars, and may issue bonds or notes of the county therefor, which shall bear on their face the words, Barnstable County Jail and House of Correction Loan, Act of 1959. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than twenty years from their dates. Such bonds or notes shall be signed by the treasurer of the county and countersigned by a majority of the county commissioners. The county may sell the said securities at public or private sale upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value. Indebtedness incurred under this act shall, except as herein provided, be subject to chapter thirty-five of the General Laws.

SECTION 3. This act shall take full effect upon its acceptance, within two years of its passage, by the county commissioners of said county.

Approved August 18, 1959.

Chap. 483. AN ACT PROVIDING FOR THE ESTABLISHMENT OF A RIGHT OF WAY FOR PUBLIC ACCESS TO VAUGHAN POND IN THE TOWN OF CARVER AND OF AN AREA FOR THE PARKING OF VEHICLES CONTIGUOUS TO SAID RIGHT OF WAY.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of the county of Plymouth are hereby authorized and directed to lay out a right of way for public access to Vaughan Pond in the town of Carver, and an area for parking contiguous thereto, in accordance with plans to be approved by the department of public works and showing the location and dimensions of such right of way and parking area. If it is necessary to acquire land for the purpose of laying out said right of way or parking area, said county commissioners shall at the time such right of way or parking area is laid out take such land by eminent domain under chapter seventy-nine of the General Laws. Any person sustaining damages in his property by the laying out of such right of way or parking area, or by specific repairs or improvements thereon, shall be entitled to recover the same under said chapter seventy-nine; provided, that the right to recover damages, if any, by reason of the laying out of such right of way or parking area shall vest upon the recording of the order of taking by said county commissioners and that no entry or possession for the purpose of constructing a public way on land so taken shall be required for the purpose of validating such taking or for the payment of damages by reason thereof.

SECTION 2. The town of Carver from time to time may make specific repairs on or improve such right of way or parking area to such extent as it may deem necessary, but neither the county of Plymouth nor any city or town therein shall be required to keep said right of way or parking area in repair, nor shall it be liable for injury sustained by persons traveling thereon; provided, that sufficient notice to warn the public is posted where such way enters upon or unites with an existing public way.

SECTION 3. All expenses incurred by said county commissioners in connection with such right of way or parking area shall be borne by the county of Plymouth, or by such city or towns therein, and in such proportions as said county commissioners may determine.

SECTION 4. Said right of way or parking area shall not be discontinued or abandoned without authority therefor from the general court.

SECTION 5. Nothing in this act shall be construed to limit the powers of the department of public health, or any local board of health, under any general or special law.

Approved August 18, 1959.

Chap. 484. AN ACT PROVIDING FOR THE ESTABLISHMENT OF A RIGHT OF WAY FOR PUBLIC ACCESS TO WENHAM POND IN THE TOWN OF CARVER AND OF AN AREA FOR THE PARKING OF VEHICLES CONTIGUOUS TO SAID RIGHT OF WAY.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of the county of Plymouth are hereby authorized and directed to lay out a right of way for pub-

lie access to Wenham pond in the town of Carver, and an area for parking contiguous thereto, in accordance with plans to be approved by the department of public works and showing the location and dimensions of such right of way and parking area. If it is necessary to acquire land for the purpose of laying out said right of way or parking area, said county commissioners shall at the time such right of way or parking area is laid out take such land by eminent domain under chapter seventy-nine of the General Laws. Any person sustaining damages in his property by the laying out of such right of way or parking area, or by specific repairs or improvements thereon, shall be entitled to recover the same under said chapter seventy-nine; provided, that the right to recover damages, if any, by reason of the laying out of such right of way or parking area shall vest upon the recording of the order of taking by said county commissioners and that no entry or possession for the purpose of constructing a public way on land so taken shall be required for the purpose of validating such taking or for the payment of damages by reason thereof.

SECTION 2. The town of Carver from time to time may make specific repairs on or improve such right of way or parking area to such extent as it may deem necessary, but neither the county of Plymouth nor any city or town therein shall be required to keep said right of way or parking area in repair, nor shall it be liable for injury sustained by persons traveling thereon; provided, that sufficient notice to warn the public is posted where such way enters upon or unites with an existing public way.

SECTION 3. All expenses incurred by said county commissioners in connection with such right of way or parking area shall be borne by the county of Plymouth, or by such city or towns therein, and in such proportions as said county commissioners may determine.

SECTION 4. Said right of way or parking area shall not be discontinued or abandoned without authority therefor from the general court.

SECTION 5. Nothing in this act shall be construed to limit the powers of the department of public health, or any local board of health, under any general or special law.

Approved August 18, 1959.

Chap. 485. AN ACT PROVIDING FOR THE ESTABLISHMENT OF A RIGHT OF WAY FOR PUBLIC ACCESS TO COOPER POND IN THE TOWN OF CARVER AND OF AN AREA FOR THE PARKING OF VEHICLES CONTIGUOUS TO SAID RIGHT OF WAY.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of the county of Plymouth are hereby authorized and directed to lay out a right of way for public access to Cooper pond in the town of Carver and an area for parking contiguous thereto, in accordance with plans to be approved by the department of public works and showing the location and dimensions of such right of way and parking area. If it is necessary to acquire land for the purpose of laying out said right of way or parking area,

said county commissioners shall at the time such right of way or parking area is laid out take such land by eminent domain under chapter seventy-nine of the General Laws. Any person sustaining damages in his property by the laying out of such right of way or parking area, or by specific repairs or improvements thereon, shall be entitled to recover the same under said chapter seventy-nine; provided, that the right to recover damages, if any, by reason of the laying out of such right of way or parking area shall vest upon the recording of the order of taking by said county commissioners and that no entry or possession for the purpose of constructing a public way on land so taken shall be required for the purpose of validating such taking or for the payment of damages by reason thereof.

SECTION 2. The town of Carver from time to time may make specific repairs on or improve such right of way or parking area to such extent as it may deem necessary, but neither the county of Plymouth nor any city or town therein shall be required to keep said right of way or parking area in repair, nor shall it be liable for injury sustained by persons traveling thereon; provided, that sufficient notice to warn the public is posted where such way enters upon or unites with an existing public way.

SECTION 3. All expenses incurred by said county commissioners in connection with such right of way or parking area shall be borne by the county of Plymouth or by such city or towns therein and in such proportions as said county commissioners may determine.

SECTION 4. Said right of way or parking area shall not be discontinued or abandoned without authority therefor from the general court.

SECTION 5. Nothing in this act shall be construed to limit the powers of the department of public health, or any local board of health, under any general or special law. *Approved August 18, 1959.*

Chap. 486. AN ACT PROVIDING FOR TENURE OF OFFICE FOR THE INCUMBENT OF THE OFFICE OF CHIEF OF POLICE OF THE TOWN OF SOUTHBOROUGH.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of Frank J. Mattioli, Jr., incumbent of the office of chief of police of the town of Southborough, shall be unlimited. Said incumbent shall not be removed from office, lowered in rank or suspended, except for just cause and for reasons specifically given him in writing by the board of selectmen.

SECTION 2. This act shall be submitted to the voters of said town at the annual town meeting in the year nineteen hundred and sixty in the form of the following question, which shall be placed upon the official ballot to be used for the election of town officers at said meeting:—"Shall an act passed by the General Court in the year nineteen hundred and fifty-nine, entitled 'An Act providing for tenure of office for the incumbent of the office of chief of police of the town of Southborough', be accepted?" If a majority of the votes cast in answer to said question is in the affirmative, this act shall take full effect, but not otherwise. *Approved August 18, 1959.*

Chap. 487. AN ACT AUTHORIZING THE CITY OF CHICOPEE TO APPROPRIATE MONEY FOR THE PAYMENT OF, AND TO PAY CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

SECTION 1. The city of Chicopee is hereby authorized to appropriate money for the payment of, and after such appropriation the treasurer of said city is hereby authorized to pay, such of the unpaid bills incurred by said city and totalling five hundred and seventy-one dollars and twelve cents, as set forth in the list on file in the office of the director of accounts in the department of corporations and taxation, as are legally unenforceable against said city, by reason of their being incurred in excess of available appropriations, and as are certified for payment by the fire department, wherein the bills were contracted.

SECTION 2. No bill shall be approved by the auditor of said city for payment or paid by the treasurer thereof under authority of this act unless and until certificates have been signed and filed with said city auditor, stating under the penalties of perjury that the services or materials for which said bills have been submitted were ordered by an official or an employee of said city, and that such materials were delivered to and actually received by said city or that such services were rendered to said city, or both.

SECTION 3. Any person who knowingly files a certificate required by section two which is false and who thereby receives payment for services or materials which were not received by or rendered to said city, shall be punished by imprisonment for not more than one year or by a fine of not more than three hundred dollars, or both.

SECTION 4. This act shall take effect upon its passage.

Approved August 18, 1959.

Chap. 488. AN ACT AUTHORIZING THE COUNTY OF DUKES COUNTY TO CONTRIBUTE TO THE COST OF DREDGING OAK BLUFFS HARBOR AND CONSTRUCTING A BULKHEAD ALONG THE SHORES THEREOF, AND TO BORROW MONEY THEREFOR.

Be it enacted, etc., as follows:

SECTION 1. The county of Dukes County is hereby authorized to contribute to the cost of dredging Oak Bluffs harbor and constructing a timber bulkhead along the shores thereof, said projects to be carried out during the year nineteen hundred and fifty-nine by the state department of public works under authority of section eleven of chapter ninety-one of the General Laws. The county treasurer of said county, with the approval of the county commissioners, for the purpose of so contributing, may borrow from time to time on the credit of the county such sums as may be necessary, not exceeding in the aggregate twenty thousand dollars, and may issue bonds or notes of the county therefor, which shall bear on their face the words County of Dukes County Harbor Improvement Loan, Act of 1959. Each authorized issue shall constitute a separate loan and such loans shall be payable in not more than four years from their date. Such bonds or notes shall be signed by the county treasurer and countersigned by

a majority of the county commissioners. The county may sell such securities at public or private sale upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value. Indebtedness incurred under this act shall, except as herein provided, be subject to chapter thirty-five of the General Laws.

SECTION 2. This act shall take effect upon its passage.

Approved August 20, 1959.

Chap. 489. AN ACT AUTHORIZING THE DEPARTMENT OF MENTAL HEALTH TO TAKE OR PURCHASE LAND IN THE TOWN OF NORFOLK FOR THE PURPOSE OF PROVIDING AN ADDITIONAL WATER SUPPLY FOR THE WRENTHAM STATE SCHOOL.

Be it enacted, etc., as follows:

SECTION 1. The department of mental health, for the purpose of acquiring an additional supply of pure water for domestic and other purposes at the Wrentham state school, may, in the name and on behalf of the commonwealth, take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase, gift or otherwise, two parcels of land as follows:—

Parcel Number One as shown on a plan entitled “Proposed Land Takings by Commonwealth of Massachusetts for Water Supply by Camp, Dresser and McKee, dated May 1, 1959” containing 367,900 sq. ft., more or less, and belonging to John M. Packard et al bounded and described as follows:

Starting at a concrete bound on the southwesterly side of Union Street in the Town of Norfolk, said bound being 175.91 ft. southeasterly of a County of Norfolk stone highway bound; thence by Union Street S 65°-31'-00" E thirty feet (30.00); thence S 23°-32'-30" W four hundred two and forty-five hundredths feet (402.45) by land of John M. Packard et al; thence S 61°-47'-30" E three hundred one and thirty-six hundredths feet (301.36) by land of John M. Packard et al to a concrete bound; thence S 24°-29'-00" W eight hundred eighty eight and ninety-five hundredths feet (888.95) by land of Harmon Tibbetts et al; thence S 61°-22'-40" W five hundred fourteen and ninety-two hundredths feet (514.92) by lands now or formerly of Bay State Realty Exchange, Thomas J. Gordon, and Raffaele Vozzella; thence N 23°-32'-30" E thirteen hundred twenty two and fifty-four hundredths feet (1322.54) by Parcel Number Two as shown on the previously mentioned plan; thence N 23°-32'-30" E four hundred feet (400.00) by land of Ralph W. Down to point of beginning.

Parcel Number Two as shown on above-mentioned plan containing 393,650 sq. ft., more or less, and belonging to Harmon Tibbetts et al bounded and described as follows:

Starting at a stake and nail marking the southerly corner of the property of Ralph W. Down; thence S 23°-32'-30" W thirteen hundred twenty-two and fifty-four hundredths feet (1322.54) by Parcel Number One as shown on the previously mentioned plan; thence N 4°-10'-50" W thirteen hundred twenty and sixty-two hundredths feet (1320.62) by land of Harmon Tibbetts et al to a concrete bound; thence S 46°-19'-30"

E two hundred forty-nine and eighty-two hundredths feet (249.82) to a concrete bound; thence along the same line one hundred three and two tenths feet (103.2), more or less, by land of Nelson R. Hill et ux to the center line of Stony Brook; thence northerly two hundred eighty two feet (282), more or less, along the center line of Stony Brook; thence S 65°-31'-00" E three hundred nine feet (309), more or less, by land of Ralph W. Down to point of beginning.

Said department may hold such lands and interests in land in the Town of Norfolk as are necessary for construction of water wells and the protection thereof and may acquire easements over the following described land for said purposes:

Easement over the land of Harmon Tibbetts et al bounded and described as follows:

Starting at a concrete bound on the northeasterly corner of Parcel Number One as shown on a plan entitled "Proposed Land Takings by Commonwealth of Massachusetts for Water Supply by Camp, Dresser and McKee, dated May 1, 1959", the center line of a twenty-foot (20.00) wide permanent easement extends southeasterly by a bearing of S 60°-21'-10" E eighty three and twenty six hundredths feet (83.26) to the property of Birger C. and Evelyn A. Larson.

The above-described center line is also the center line of a forty foot (40.00) wide temporary easement which is to terminate automatically on the completion of the construction of a water main in said easement. Easements over the land of Birger C. and Evelyn A. Larson bounded and described as follows:

Starting at a point on the property line of Harmon Tibbetts et al, as shown on the aforementioned plan, the center line of a twenty foot (20.00) wide permanent easement extends southeasterly by a line of S 60°-21'-10" E ninety five and ninety-four hundredths feet (95.94) to an angle point; thence southeasterly by a line S 29°-52'-20" E forty five and seventy-eight hundredths feet (45.78) to the property of George M. and Edith A. Leard.

The above-described center line is also the center line of a forty-foot (40.00) wide temporary easement which is to terminate automatically on the completion of the construction of a water main in said easement. Easements over the land of George M. and Edith A. Leard bounded and described as follows:

Starting at a point on the property line of Birger C. and Evelyn A. Larson as shown on the aforementioned plan, the center line of a permanent twenty foot (20.00) wide easement extends southeasterly by a line of S 29°-52'-20" E three hundred thirty five and seventy-two hundredths feet (335.72) to Birch Road, a Public Way in the Town of Norfolk.

The above-described center line is also the center line of a forty foot (40.00) wide temporary easement which is to terminate automatically on the completion of construction of a water main in said easement. The aforementioned easements may be used for the construction of a pipe line from well to said school.

Said department may install wells, erect buildings and other structures, make excavations, procure and operate machinery, construct, lay

and maintain aqueducts, conduits, pipes, pole lines and other works under or over any lands, water courses, railroads, railways, and public or other ways, and along such ways, in said town, in such manner as not unnecessarily to obstruct the same, and for the purpose of constructing, laying, maintaining, operating and repairing such conduits, pipes and other works, and for all other proper purposes of this act, said department may dig up or raise and embank lands, highways or other ways, in such manner as to cause the least hindrance to public travel on such ways; provided, that said department shall not enter upon, construct or lay any conduits, pipes or other work within the location of any railroad corporation, except at such time and in such manner as it may agree upon with such corporation, or in case of failure so to agree, as may be approved by the department of public utilities; and provided, further, that all water for domestic purposes and lands necessary for preserving the quality of such water shall be taken or acquired only with the advice and approval of the department of public health.

For the purpose of acquiring such land and easements said department may expend funds made available by item 8259-82 of chapter six hundred and fifty of the acts of nineteen hundred and fifty-eight.

SECTION 2. The commissioner of mental health may, in his discretion, arrange for the delivery of, and deliver, water into the pipes of said town of Norfolk, at such places and upon such terms and conditions as the commissioner and the water commissioners of said town may mutually agree.

SECTION 3. This act shall take effect upon its passage.

Approved August 20, 1959.

Chap. 490. AN ACT AUTHORIZING THE TOWN OF WENHAM TO APPOINT A NON-RESIDENT AS CHIEF OF POLICE OF SAID TOWN AND VALIDATING CERTAIN ACTION ALREADY TAKEN BY SAID TOWN IN THAT CONNECTION.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of section one hundred and nine of chapter forty-one of the General Laws, any other general law, any special law or any by-law to the contrary, the town of Wenham is hereby authorized to appoint and continue to employ Edward A. Haraden, a resident of the town of Hamilton, as chief of police of said town of Wenham.

SECTION 2. The action taken by the town of Wenham in the current year, appointing and continuing to employ Edward A. Haraden, a resident of the town of Hamilton, as chief of police of the town of Wenham, is hereby ratified, confirmed and validated to the same extent as though this act had been in effect at the time of said appointment and employment.

SECTION 3. This act shall take effect upon its passage.

Approved August 20, 1959.

Chap. 491. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF MIDDLESEX COUNTY TO CONVEY CERTAIN LAND IN THE CITY OF WALTHAM TO THE ROMAN CATHOLIC ARCHBISHOP OF BOSTON, A CORPORATION SOLE.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provisions of general or special law, the county commissioners of Middlesex county are hereby authorized to sell and convey to the Roman Catholic Archbishop of Boston, a corporation sole, certain land of said county located in the city of Waltham and bounded and described as follows: Beginning at the most northerly corner of the premises at the southwesterly line of Trapelo Road at land of John W. Henry, as shown on a plan entitled "Plan of land in Lexington and Waltham belonging to John L. Shea, April 27, 1929, Scale 1"—100 feet, F. H. Kendall, County Engineer", being plan No. 499 of 1929, and recorded in the Middlesex Registry of Deeds, Southern District, Book, 5351, page 200; thence running southwesterly 110.18 feet; thence running southeasterly by three lines, measuring 72.21 feet, 143.39 feet and 165.62 feet, respectively; thence turning and running southwesterly again by three lines, measuring 216.45 feet, 53.29 feet and 109.08 feet, respectively, the last seven lines being by said last named land to land of the heirs of Susan B. Davis; thence turning and running southeasterly by said last named land 154.08 feet; thence turning and running southwesterly by said last named land by four lines, measuring 201.23 feet, 424.78 feet, 271.56 feet and 26.04 feet, respectively; thence turning and running northwesterly by said last named land by three lines, measuring 90.10 feet, 270.51 feet, 658.85 feet, respectively, to Lexington Street; thence turning and running southwesterly on said Lexington Street 187.46 feet to land of Henry F. Hardy, shown on said plan; thence turning and running southeasterly by said last named land and land of Cyrus W. and Isaac W. Hardy by five lines, measuring 419.77 feet, 410.03 feet, 199.88 feet, 284.43 feet and 39.97 feet, respectively; thence turning and running southwesterly by said land of Cyrus W. and Isaac W. Hardy 249.04 feet; thence turning and running southeasterly by said last named land and land of the heirs of Charles Brown by two lines, measuring 109.57 feet and 473.19 feet, respectively, to land of the Devisees of Daniel Deshon, shown on said plan; thence turning and running northeasterly by said last named land and by land of Lucy H. Doty by five lines, measuring 301.30 feet, 100.93 feet, 167.29 feet, 207.57 feet, 337.23 feet, respectively, to land of John C. Runkle, as shown on said plan; thence turning and running northwesterly on said last named land 591.13 feet; thence turning and running by said last named land northeasterly by four lines, measuring 138.41 feet, 288.81 feet, 339.23 feet and 154.39 feet to said Trapelo Road; thence turning and running northwesterly on said Trapelo Road by two lines, measuring 245.86 feet and 600.25 feet, respectively, to the point of beginning. Being shown on said plan and marked "John L. Shea Parcel No. 4".

SECTION 2. This act shall take effect upon its passage.

Approved August 20, 1959.

Chap. 492. AN ACT INCREASING THE PENALTIES FOR VIOLATIONS OF THE LAWS RELATIVE TO OBSCENE THINGS AND OBSCENE BOOKS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 272 of the General Laws is hereby amended by striking out section 28, as amended by chapter 328 of the acts of 1948, and inserting in place thereof the following section:—*Section 28.* Whoever sells or distributes, or imports, prints or publishes for the purpose of selling or distributing, to a person under the age of eighteen years a book, pamphlet, ballad, printed paper, phonographic record or other thing which is obscene, indecent or impure, or manifestly tends to corrupt the morals of youth, or an obscene, indecent or impure print, picture, figure, image or description, manifestly tending to corrupt the morals of youth, or introduces into a family, school or place of education, or buys, procures, receives or has in his possession any such book, pamphlet, ballad, printed paper, phonographic record, obscene, indecent or impure print, picture, figure, image or other thing, either for the purpose of sale, exhibition, loan or circulation to a person under the age of eighteen years or with intent to introduce the same into a family, school or place of education, shall be punished by imprisonment in the state prison for not more than five years or in a jail or house of correction for not more than two and one half years, or by a fine of not less than one hundred dollars nor more than five thousand dollars, or by both such fine and imprisonment in jail or the house of correction. In order to obtain a conviction under this section, it shall not be necessary to prove that the book, pamphlet, ballad, printed paper, phonographic record, print, picture, image, description or other thing which the accused is alleged to have dealt with in a manner prohibited by this section has been adjudged to be obscene, indecent or impure under the provisions of sections twenty-eight C to twenty-eight H, inclusive.

SECTION 2. Said chapter 272 is hereby further amended by striking out sections 28A and 28B, inserted by section 1 of chapter 278 of the acts of 1945, and inserting in place thereof the following two sections:—*Section 28A.* Whoever imports, prints, publishes, sells or distributes a pamphlet, ballad, printed paper, phonographic record, or other thing which is obscene, indecent or impure, or an obscene, indecent or impure print, picture, figure, image or description, or buys, procures, receives or has in his possession any such pamphlet, ballad, printed paper, phonographic record, obscene, indecent or impure print, picture, figure, image or other thing, for the purpose of sale, exhibition, loan or circulation, shall be punished by imprisonment in the state prison for not more than five years or in a jail or house of correction for not more than two and one half years, or by a fine of not less than one hundred dollars nor more than five thousand dollars, or by both such fine and imprisonment in jail or the house of correction.

Section 28B. Whoever imports, prints, publishes, sells, loans or distributes, or buys, procures, receives, or has in his possession for the purpose of sale, loan or distribution, a book, knowing it to be obscene, indecent or impure, shall be punished by imprisonment in the state prison for not more than five years or in a jail or house of correction

for not more than two and one half years, or by a fine of not less than one hundred dollars nor more than five thousand dollars, or by both such fine and imprisonment in jail or the house of correction.

Approved August 20, 1959.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, AUGUST 25, 1959.

The Honorable JOSEPH D. WARD, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

DEAR MR. SECRETARY: — I, Foster Furcolo, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution, the Referendum II, Emergency Measures, hereby declare in my opinion the immediate preservation of the public convenience requires that the law being Chapter 492 of the Acts of 1959, entitled "An Act Increasing the Penalties for Violations of the Laws Relative to Obscene Things and Obscene Books" and the enactment of which received my approval on August 20, 1959, should take effect forthwith.

I further declare that in my opinion said law is an emergency law and the facts constituting the emergency are as follows:

Postponement of the operation of this act for ninety days would defeat its purpose in that it will unnecessarily delay the effective date of this act beyond the opening of the school year.

Very truly yours,

FOSTER FURCOLO,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, AUGUST 25, 1959.

I, Jerome Patrick Troy, Deputy Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at four o'clock and eighteen minutes, P.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter four hundred and ninety-two of the acts of nineteen hundred and fifty-nine.

JEROME PATRICK TROY,
Deputy Secretary of the Commonwealth.

Chap. 493. AN ACT INCREASING THE AMOUNTS OF PENSIONS AND RETIREMENT ALLOWANCES PAYABLE TO CERTAIN FORMER PUBLIC EMPLOYEES.

Be it enacted, etc., as follows:

SECTION 1. The annual amount of every pension, retirement allowance or annuity payable under any general or special law to any former employee of the commonwealth or of any county, city, town or district, including teachers, who at the time of such retirement had

attained age sixty and had at least twenty years of creditable service or who at the time of his retirement had at least twenty-five years of creditable service, regardless of his age, shall be increased by one hundred dollars; provided, that no such increase shall be made in the case of any pension, retirement allowance or annuity which is in excess of fifteen hundred dollars, exclusive of any amount of additional annuity obtained by special purchase as provided under paragraph (g) of subdivision (1) of section twenty-two of chapter thirty-two of the General Laws, or under any similar law, and no such increase shall be made which will make the total annual amount of such pension, retirement allowance or annuity, exclusive of any such additional annuity, exceed fifteen hundred dollars.

SECTION 2. The increases granted under this act with respect to pensions, retirement allowances or annuities payable by the commonwealth or by the teachers' retirement system shall take effect on January first, nineteen hundred and sixty. The increases granted under this act with respect to pensions, retirement allowances or annuities payable by any county, city, town or district shall take effect when accepted in a county by the county commissioners thereof; in a city having a Plan D or Plan E charter, by the affirmative vote of a majority of all the members of the city council; in a city not having such a charter by vote of the city council, subject to the provisions of the charter of such city; in a town, by a majority vote at a town meeting; and in a district, by its prudential committee.

SECTION 3. Any former employee of the commonwealth or any of its political subdivisions who is entitled to the increase granted by this act may waive and renounce for himself, his heirs and legal representatives his right to receive such increase by filing with the treasurer of the governmental unit paying his pension, retirement allowance or annuity a written statement wherein he waives and renounces such right as aforesaid. Nothing in this section shall be construed to otherwise affect the pension, retirement allowance or annuity payable to the person filing such a written statement.

SECTION 4. This act shall not apply to the pension to be used for reimbursement purposes under paragraph (c) of subdivision (2) of section twenty of chapter thirty-two of the General Laws on account of teachers retired by the city of Boston. *Approved August 20, 1959.*

Chap. 494. AN ACT FURTHER DEFINING THE DUTIES OF THE COMMISSIONER OF PUBLIC HEALTH RELATIVE TO CERTAIN INSTITUTIONS UNDER THE CONTROL OF THE DEPARTMENT OF PUBLIC HEALTH.

Be it enacted, etc., as follows:

Chapter 111 of the General Laws is hereby amended by striking out section 69E, as most recently amended by chapter 357 of the acts of 1958, and inserting in place thereof the following section:—*Section 69E.* The commissioner shall have general supervision and control of the Lemuel Shattuck hospital and the Pondville hospital. Upon written application of a registered physician, the department may admit

patients to the Lemuel Shattuck hospital and to the chronic disease sections of the Rutland state sanatorium and the Lakeville state sanatorium, for the treatment of chronic disease, and to the Pondville hospital, for the treatment of cancer, and to the cancer division of the Westfield state sanatorium, for the treatment of cancer and chronic diseases, subject to such rules and regulations as the department may prescribe; provided, that preference shall be given to residents of the commonwealth. Any such patient may be discharged from said hospital or sanatorium either upon his own request or upon determination of the department, but not otherwise. The commissioner may establish outpatient departments at the Lemuel Shattuck hospital and the Pondville hospital.

Approved August 20, 1959.

Chap. 495. AN ACT AUTHORIZING THE ISSUANCE OF DISTINCTIVE NUMBER PLATES FOR PLEASURE PASSENGER VEHICLES OWNED AND USED BY CERTAIN HANDICAPPED PERSONS.

Be it enacted, etc., as follows:

The seventh paragraph of section 2 of chapter 90 of the General Laws, as appearing in chapter 274 of the acts of 1958, is hereby amended by striking out the third sentence and inserting in place thereof the following sentence:—The registrar may also furnish plates of a distinctive type or types for a pleasure passenger vehicle owned and used by any blind person or any person who has suffered the loss or permanent loss of use of one or both feet, or of both hands, and he may determine such standards of disability and of qualification for the issuance of said plates as he deems proper.

Approved August 20, 1959.

Chap. 496. AN ACT AUTHORIZING THE WATER RESOURCES COMMISSION TO CONTRACT WITH THE STATE OF CONNECTICUT FOR THE CONSTRUCTION, MAINTENANCE AND OPERATION IN THE BLACKBERRY RIVER WATERSHED OF WORKS OF IMPROVEMENT FOR FLOOD PREVENTION.

Be it enacted, etc., as follows:

SECTION 1. The water resources commission, established under section eight of chapter twenty-one of the General Laws, in this act referred to as the commission, is hereby authorized to enter into a contract on behalf of the commonwealth with the state of Connecticut, said state acting through its department of agriculture or any successor thereof to which the duties of the said department in relation to the federal Watershed Protection and Flood Prevention Act, (Public Law 566—83rd Congress, 2nd Session), may be assigned, and which is authorized to enter into such contract on behalf of said state, to provide for the construction, maintenance and operation at the expense of the state of Connecticut of works of improvement for flood prevention in that portion of the Blackberry river watershed which is located in the town of New Marlborough in the commonwealth of Massachu-

setts, said works of improvement to be constructed under the provisions of said Watershed Protection and Flood Prevention Act.

SECTION 2. Subject to the condition that the state of Connecticut shall have obligated itself, in the contract authorized to be entered into under section one, to pay all damages which may be recovered against the commonwealth of Massachusetts and all expenses incurred in connection with any takings or damage and that said state shall have made advance payments of such amounts as the commission shall determine are sufficient to provide for the payment of all damages or expenses which may result from any taking, which amounts shall be held by the state treasurer and disbursed as funds appropriated for expenses for state departments and offices are disbursed, the commission, acting for and on behalf of the commonwealth, may take by eminent domain under chapter seventy-nine of the General Laws or acquire by purchase or otherwise any land, water rights, rights of way, or other easements, public or private, in the town of New Marlborough, necessary for accomplishing any purpose mentioned in this act, and may construct, maintain and operate in said town the flood control works provided for hereunder. Any person whose property is taken or injured under this act may recover damages from the commonwealth under said chapter seventy-nine.

SECTION 3. When the secretary of agriculture of the United States, the department of agriculture of the state of Connecticut, and the commission have agreed upon a plan for works of improvement under the contract referred to in section one, the commission is authorized to construct such works of improvement and shall be the contracting authority for the construction of such works.

SECTION 4. The contract authorized by section one of this act shall obligate the state of Connecticut to pay the entire non-federal cost of the works to be constructed and shall provide for the advance payment to the treasurer of the commonwealth of sums necessary for the payment of such costs, which sums shall be held and disbursed as provided in section two. Any balance of such funds or of funds advanced under section two remaining in the hands of said treasurer shall upon the completion of such works be returned to the state of Connecticut. The commonwealth shall retain title to any land or rights in land taken under section two, and to any structure constructed under authority of this act.

SECTION 5. The contract authorized by section one of this act shall obligate the state of Connecticut to pay the costs of the operation and maintenance of the works constructed under this act, and shall provide for the method of making payment for such costs.

SECTION 6. The said contract shall also provide that the state of Connecticut shall pay annually to the town of New Marlborough upon the presentation of a tax bill the tax losses on the real estate acquired under the provisions of section two in the name of the commonwealth by the commission. The tax losses shall be determined by taking the average assessed valuations of the land and the structures that were on the land at the time of acquisition for the three-year period preceeding the taking or acquisition by the commonwealth, multiplied by the then current tax rate. In the event there is a gen-

eral revaluation of the assessed valuations of property in the town, the assessed valuations for the three-year period determined above shall be increased or decreased in the same proportion that the assessments on other properties in the town are increased or decreased.

SECTION 7. In the event that any agency of the commonwealth desires to include provisions for increasing the capacity of any structures constructed under this act for purposes other than flood prevention, the commission shall assume the responsibility for incorporating such improvements, provided that an appropriation has been made to cover the cost, as determined by the commission, of providing such increased capacity.

Approved August 20, 1959.

Chap. 497. AN ACT REQUIRING CERTIFICATION TO BE FURNISHED BY AN APPLICANT FOR A LICENSE GIVING DAY CARE TO CHILDREN THAT ANY BUILDING OCCUPIED FOR SUCH PURPOSE HAS SAFE MEANS OF EGRESS AND FIRE CONTROL.

Be it enacted, etc., as follows:

Section 59 of chapter 111 of the General Laws, as appearing in chapter 205 of the acts of 1950, is hereby amended by adding at the end the following sentence:— No license shall be issued or renewed hereunder unless the applicant agency giving day care to children submits to the board a certificate of an inspector of the division of inspection of the department of public safety or of the local building inspector stating that the building or buildings to be occupied by such agency for the aforementioned purpose has safe means of egress and adequate means of preventing the spread of fire.

Approved August 20, 1959.

Chap. 498. AN ACT RELATIVE TO HUNTING AND FISHING RIGHTS OF A PERSON WITHOUT A LICENSE ON LAND OWNED OR LEASED BY HIM.

Be it enacted, etc., as follows:

Section 5 of chapter 131 of the General Laws, is hereby amended by striking out the first paragraph, as amended by section 1A of chapter 688 of the acts of 1957, and inserting in place thereof the following paragraph:—Except as provided in this section and in sections ten, fifty-one, sixty, sixty-one, sixty-four, sixty-seven, sixty-nine or seventy-nine, no person shall hunt any bird or mammal, and no person, unless he is under fifteen years of age, shall fish, except as hereinafter provided, in any of the inland waters of the commonwealth, and no person shall use, set, tend or maintain any trap, or take or attempt to take any mammal by means thereof, without first having obtained a sporting, hunting, fishing or trapping license, or a special fox-hunting license issued under section nine, as the case may be, authorizing him to do so, as provided in sections six to nine, inclusive; provided, that nothing in sections five to fourteen, inclusive, shall be construed as affecting in any way the general laws relating to trespass, or as authorizing the

hunting, or the possession, of birds or mammals, contrary to law, or the taking of fish, or the possession thereof, contrary to law, or the trapping of mammals, contrary to law; and provided, further, that said sections five to fourteen, inclusive, shall not be deemed to prohibit any legal resident of the commonwealth or any member of his immediate family, from hunting or trapping on land owned or leased by him or from fishing in any inland waters bordered by such land if he is or they are actually domiciled within the commonwealth and if such land is used exclusively for agriculture, forestry and wood lot purposes, and not for club, shooting or fishing purposes; and provided, further, that the burden of proof shall rest upon the person claiming any such exception to show that he is entitled thereto.

Approved August 20, 1959.

Chap. 499. AN ACT AUTHORIZING AND DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO CLEAN, DREDGE AND WIDEN COBB BROOK IN THE CITY OF TAUNTON.

Be it enacted, etc., as follows:

The department of public works is hereby authorized and directed to clean, dredge and widen Cobb brook in the city of Taunton and to perform such other work as it may deem necessary in connection therewith, for the purpose of preventing future flooding of adjacent areas. For said purposes the said department may expend such sums as may be appropriated therefor in accordance with the provisions of chapter ninety-one of the General Laws. No work shall be begun until the city of Taunton has paid into the state treasury an amount equal to fifty per cent of the cost of such work. So much of said amount as exceeds one half the actual cost of such work shall upon completion of said work be repaid to said city.

Approved August 24, 1959.

Chap. 500. AN ACT PROVIDING FOR A FOURTH ASSISTANT DISTRICT ATTORNEY FOR THE SOUTHERN DISTRICT.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for a fourth assistant district attorney for the Southern District, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Section 16 of chapter 12 of the General Laws is hereby amended by striking out the eighth paragraph, as appearing in section 1 of chapter 686 of the acts of 1956, and inserting in place thereof the following paragraph:—

For the southern district, assistant, five thousand three hundred dollars; second assistant, four thousand five hundred dollars; third assistant, three thousand nine hundred dollars; fourth assistant, three thousand nine hundred dollars; deputy district attorney, such compensation as shall be fixed by the district attorney with the approval of the chief justice of the superior court.

Approved August 24, 1959.

Chap. 501. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH TO MAKE RULES AND REGULATIONS CONCERNING PLASTIC BAGS AND PLASTIC FILM AND TO PROVIDE PENALTIES FOR THE VIOLATION THEREOF.

Be it enacted, etc., as follows:

Chapter 111 of the General Laws is hereby amended by inserting after section 5C the following section:—*Section 5D.* The department shall make such rules and regulations concerning labeling, thickness and methods of use of plastic bags and plastic film as it shall deem necessary for the protection of the lives and safety of the public, which rules and regulations may provide penalties for the violation thereof not exceeding five hundred dollars for any one offence.

Approved August 24, 1959.

Chap. 502. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH TO MAKE RULES AND REGULATIONS CONCERNING THE DISPOSAL OR DISCARD OF CONTAINERS OF POISONOUS SUBSTANCES.

Be it enacted, etc., as follows:

Chapter 111 of the General Laws is hereby amended by inserting after section 8, as appearing in the Tercentenary Edition, the following section:—*Section 8A.* The department shall make such rules and regulations concerning the disposal or discard of containers of poisonous substances as it shall deem necessary for the protection of the lives and safety of the public, which rules and regulations may provide penalties for the violation thereof not exceeding five hundred dollars for any one offence.

Approved August 24, 1959.

Chap. 503. AN ACT AUTHORIZING THE METROPOLITAN DISTRICT COMMISSION TO CONVEY A CERTAIN PARCEL OF LAND IN THE TOWN OF MILTON TO MILTON POST #114, THE AMERICAN LEGION.

Be it enacted, etc., as follows:

SECTION 1. The metropolitan district commission, in consideration of the sum of one thousand five hundred dollars, is hereby authorized to sell and convey to Milton Post #114, The American Legion, for the purpose of enabling the said Post to establish a post headquarters, a certain parcel of land under the control of the commission, situated in the town of Milton on Granite avenue at the southerly end of the lands thereon under the control of the said commission, bounded and described as follows: southeasterly by land of owners unknown, four hundred and three one hundredths feet; more southeasterly by owners unknown, twenty-three feet; southwesterly by other lands of the commonwealth in the Southeast Expressway, so-called, six hundred and three feet; northwesterly by other lands of the commonwealth under the control of the said commission, three hundred and three feet; northeasterly by Granite avenue, two hundred and fifty feet, contain-

ing approximately one hundred and twenty-six thousand, two hundred square feet.

SECTION 2. The jurisdiction in and over said land shall revert to and revest in the commonwealth whenever such land shall cease to be used for the purpose set forth in this act. In the event that the property is not used for the purposes set forth in section one within two years of the effective date of this act, said land shall revert to and revest in the commonwealth.

Approved August 24, 1959.

Chap. 504. AN ACT PROVIDING FOR THE ANNUAL ADJUSTMENT OF PENSIONS PAYABLE TO JUDGES ENGAGED IN GAINFUL OCCUPATION AFTER RETIREMENT FOR DISABILITY.

Be it enacted, etc., as follows:

SECTION 1. Section 91A of chapter 32 of the General Laws, inserted by section 1 of chapter 684 of the acts of 1958, is hereby amended by striking out, in line 1, the words "other than a judge of a court",—so that the first sentence will read as follows:—Every person pensioned or retired under any general or special law for disability, including accidental disability, shall in each year before the last day of January subscribe under the penalties of perjury and file with the board or officer by whom he was pensioned or retired a statement, in such form as such board or officer shall prescribe, certifying the full amount of his earnings from gainful occupation during the preceding year.

SECTION 2. This act shall take effect as of the effective date of said chapter six hundred and eighty-four of the acts of nineteen hundred and fifty-eight.

Approved August 24, 1959.

Chap. 505. AN ACT LIMITING INTEREST RATES ON HOME MORTGAGES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 140 of the General Laws is hereby amended by inserting after section 90 the following four sections:—

Section 90A. No person shall directly or indirectly charge, take or receive for a loan of more than fifteen hundred dollars secured wholly or partially by a mortgage of real estate having an assessed value of not over ten thousand dollars, having thereon a dwelling house with accommodations for three or less separate households and occupied in whole or in part at the time the loan is made as a home by any obligor on the mortgage debt or by any person granting or releasing any interest under said mortgage, a greater rate of interest than one and one half per cent per month on the unpaid principal balance of the loan before default and for six months after continuing default and for the period after the expiration of six successive months of continuing default a greater rate of interest than one per cent per month. The aggregate of the amount of money or value actually received or held at the time of the loan, plus the sum of all existing indebtedness of the borrower to the lender shall for the purposes of this section and sec-

tions ninety B to ninety D, inclusive, be deemed the amount of the loan. Except where the borrower agrees in writing to a different application of his payments, in cases where partial payments are made, the interest shall be calculated to the time of payment, and such payment shall first be applied to interest, and the balance thereafter remaining, if any, shall be applied to principal.

The maximum interest shall include all sums paid, directly or indirectly by or on behalf of the borrower to the lender for interest, brokerage, commissions, services, extension of loan, forbearance to enforce payment or otherwise for making or securing the loan, not including, however, sums the lender may require the borrower to pay or reimburse the lender for actual recording and foreclosure costs for reasonable legal charges incurred for the examination of the title and the marketability of the security for the loan, for the drafting of the security instruments or documents, and, when such services are utilized, for collecting the debt or realizing upon the security.

As used in this section and in sections ninety B to ninety D, inclusive, the following words shall have the following meanings:—

“Loan”, any loan of money or goods or forbearance of money or goods or choses in action; “Note”, the instrument, other than the mortgage, evidencing or containing the debt secured by the mortgage or any extension or renewal of such instrument; “Lender”, any person making a loan of more than fifteen hundred dollars secured by a mortgage as described in this section and shall include any legal successor to the rights of the lender; “Borrower”, shall include any legal successor to the borrower’s rights or obligations.

This section and sections ninety B to ninety D, inclusive, shall not apply to a loan secured by a first mortgage on real estate.

Section 90B. If any note secured by such a mortgage and any such mortgage does not, among its provisions, specify as separate items the principal sum, the rate of interest or its equivalent in money, the period of the loan and the periodic due dates, if any, of principal and interest, the lender shall have no right to collect interest.

If the borrower or his authorized representative requests, by registered mail, the lender to furnish him a copy of the note, the lender shall within fifteen days after receipt of said request, send by registered mail a true copy of said note to the person requesting the same at the address specified in such request. At least fifteen days prior to the commencement of any foreclosure proceedings the lender shall send to the borrower by registered mail a statement of his intention to foreclose which shall specify the amount of principal, interest and other indebtedness, if any, owing and accruing under the note and mortgage. Failure by the lender to comply with the provisions of this paragraph shall suspend his rights until such time as he complies with said provisions.

Section 90C. Upon payment of any money by the borrower, the lender shall at the request of the borrower give him a receipt stating the date of payment, the amount paid, the amount applicable to interest on the loan and the amount applicable to the principal. Such receipt shall be signed by the lender or his duly authorized representative. If a lender refuses, on written demand sent by registered mail,

to give such receipt, he shall forfeit all interest on the principal sum.

Section 90D. Any loan made in violation of section ninety A by any person shall be discharged upon payment or tender by the debtor or any person succeeding to his interest in such real estate of the principal sum actually borrowed with interest for the period between the borrowing of said money and the payment or tender hereunder at the rate of eighteen per cent per annum. If an action is brought upon a loan coming within the purview of section ninety A, the verdict or finding entered for the plaintiff in such action shall in no event exceed the amount that would be required to discharge by payment or tender the indebtedness at the time of such verdict or finding. Any agreement whereby the borrower waives the benefits of section ninety A or releases any rights he may have acquired by virtue thereof shall be deemed to be against public policy and void. The superior court shall have jurisdiction in equity of all actions arising under said section ninety A and if a finding is made that such loan secured by any such mortgage violates said section ninety A such borrower shall be entitled to a reasonable fee for the services of his attorney in such action.

SECTION 2. If any provision of this act is held invalid or unconstitutional by a court of competent jurisdiction, the remainder shall not be affected thereby.

SECTION 3. The provisions of this act shall not be applicable to any contract or agreement made prior to the effective date of this act.

SECTION 4. This act shall take effect on January first, nineteen hundred and sixty.

Approved August 24, 1959.

Chap. 506. AN ACT PROHIBITING THE SOLICITATION OF THE BUSINESS OF OPPOSING CLAIMS FOR UNEMPLOYMENT BENEFITS.

Be it enacted, etc., as follows:

Chapter 151A of the General Laws is hereby amended by striking out section 37, as appearing in section 1 of chapter 685 of the acts of 1941, and inserting in place thereof the following section:—*Section 37.* No fee shall be charged in any proceeding under this chapter by the director or any of his agents or representatives.

In any proceeding under this chapter a party may be represented by an agent or attorney. No fees for the services rendered by such agent or attorney to an individual claiming benefits shall be allowable or payable unless the amount thereof shall have been previously approved by the director, except in proceedings arising under sections forty and forty-one, when such fees shall be so approved by the board of review. Whoever exacts or receives any remuneration or gratuity for any services rendered on behalf of a benefit claimant under this chapter, except as authorized by this section, or who solicits the business of appearing on behalf of a benefit claimant or employer, or who makes it a business to solicit employment for another in connection with the making of any claim for benefits or for the purpose of opposing a claim or claims under this chapter, shall be punished by a fine or not more than one hundred dollars or by imprisonment for not more than six months, or both.

Approved August 24, 1959.

Chap. 507. AN ACT REDUCING THE TIME WITHIN WHICH RECONSIDERATION OF CERTAIN DETERMINATIONS BY THE DIRECTOR OF THE DIVISION OF EMPLOYMENT SECURITY MAY BE REQUESTED.

Be it enacted, etc., as follows:

SECTION 1. The second paragraph of section 12 of chapter 151A of the General Laws, as appearing in section 1 of chapter 685 of the acts of 1941, is hereby amended by striking out, in line 1, the word "thirty" and inserting in place thereof the word:—ten,—so as to read as follows:—

Such employing unit may, within ten days after the mailing of notice of such determination, request that the director grant a hearing for the purpose of reconsidering the facts submitted and to consider any additional information. After such hearing, the director shall affirm, modify or revoke this determination and notice of his finding shall be mailed to the employing unit.

SECTION 2. The last paragraph of said section 12 of said chapter 151A, as so appearing, is hereby amended by inserting after the word "was", in line 3, the words:—subject or was,—so as to read as follows:—

Nothing in this section shall be construed to prevent the director, after notice to the affected parties, from reconsidering his determination that the employing unit was subject or was not subject to this chapter, when in his judgment it appears that because of newly discovered evidence or for any other reasonable cause the determination should be reconsidered.

Approved August 24, 1959.

Chap. 508. AN ACT RELATIVE TO GIVING NOTICE TO THE DIRECTOR OF THE DIVISION OF EMPLOYMENT SECURITY OF THE TRANSFER OF A BUSINESS FROM ONE EMPLOYER TO ANOTHER.

Be it enacted, etc., as follows:

Subsection (n) of section 14 of chapter 151A of the General Laws is hereby amended by striking out paragraph (1), as amended by section 1 of chapter 643 of the acts of 1958, and inserting in place thereof the following paragraph:—(1) If the business of an employer is transferred in whole or in part to another employer or employing unit the transferee shall be deemed a successor for the purpose of this section; provided, that the portion of the business so transferred was operated by the transferring employer as a separate business enterprise the pay roll records of which were not commingled with those of other employing enterprises of such transferring employer at any time during the three calendar years immediately preceding the date of transfer of such business. Under such conditions the transfer of any of the assets of an employer's business by any means whatever otherwise than in the ordinary course of trade shall be deemed a transfer of business and shall constitute the transferee a successor hereunder, provided the transferee has continued or resumed the business of the transferor either in the same establishment or elsewhere and has employed substantially the same employees as those the transferor had employed in connection with the assets transferred.

Approved August 24, 1959.

Chap. 509. AN ACT PROVIDING THAT CERTAIN SCHOOL PROPERTY OF THE CITY OF BOSTON SHALL BE PUBLICLY ADVERTISED WHEN OFFERED FOR SALE.

Be it enacted, etc., as follows:

Chapter 259 of the acts of 1906 is hereby amended by striking out section 1 and inserting in place thereof the following section:—*Section 1.* The mayor of the city of Boston, the school committee and the superintendent of construction of the department of school buildings, of said city, acting jointly, are hereby established and created a board with power to sell and convey any land or buildings owned by the said city which at the time of any such sale are or have been used for school purposes, and which the school committee, by a majority vote of all its members, shall have voted is advisable to sell. The board hereby established shall, after the passage of the vote of the school committee as aforesaid, forthwith offer for sale, and shall publicly advertise such offer for sale in two Boston daily newspapers once a week for three successive weeks, and likewise in the City Record, and sell, when a suitable price can be obtained, the land or buildings specified in said vote; and the mayor of said city, when authorized by a majority of the board hereby established, shall forthwith execute a proper instrument to convey such land or buildings. The school committee may continue to use any such land or buildings until the completion of the sale and conveyance thereof.

Approved August 24, 1959.

Chap. 510. AN ACT AUTHORIZING THE COMMONWEALTH TO CONVEY TO THE TOWN OF SALISBURY A CERTAIN PARCEL OF LAND IN SAID TOWN TO BE USED FOR PARKING LOT PURPOSES.

Be it enacted, etc., as follows:

The commissioner of public works, in the name of and on behalf of the commonwealth, is hereby authorized, subject to approval by the governor and council, to convey for a nominal consideration to the town of Salisbury by a deed approved as to form by the attorney general, all the right, title and interest of the commonwealth in and to certain land heretofore known as a state parking lot and situate at the corner of Cable avenue and Beach road in that part of said town known as Salisbury beach; provided, that said deed shall provide that all right, title and interest in and to said land shall revert to and re-vest in the commonwealth whenever it shall cease to be used by said town for parking lot purposes; and provided, further, that the commonwealth may, if said land is needed for state purposes, take the same and it shall not be liable in damages to said town by virtue of such taking.

Approved August 24, 1959.

Chap. 511. AN ACT EXCLUDING THE DIVISION OF CIVIL SERVICE FROM THE PROVISIONS OF THE STATE ADMINISTRATIVE PROCEDURE LAW.

Be it enacted, etc., as follows:

Section 1 of chapter 30A of the General Laws, as appearing in section 1 of chapter 681 of the acts of 1954, is hereby amended by

striking out paragraph (2) and inserting in place thereof the following paragraph:—

(2) "Agency" includes any department, board, commission, division or authority of the state government, or subdivision of any of the foregoing, or official of the state government, authorized by law to make regulations or to conduct adjudicatory proceedings, but does not include the following: the legislative and judicial departments; the governor and council; military or naval boards, commissions or officials; the department of correction; the youth service board and the division of youth service in the department of education; the parole board; the division of industrial accidents of the department of labor and industries; the division of child guardianship of the department of public welfare; and the division of civil service.

Approved August 24, 1959.

Chap. 512. AN ACT PROVIDING THAT RENTALS IN LOW-RENT HOUSING PROJECTS SHALL BE SO FIXED AS TO BE SUFFICIENT TO ESTABLISH AND MAINTAIN RECREATIONAL AND COMMUNITY FACILITIES IN OR NEAR SUCH PROJECTS.

Be it enacted, etc., as follows:

Section 26FF of chapter 121 of the General Laws is hereby amended by striking out the first four sentences and inserting in place thereof the following three sentences:—Upon the completion or acquisition of a project by a housing authority it shall be maintained and operated by such authority. It is hereby declared to be the policy of this commonwealth that each housing authority shall manage and operate its housing projects in an efficient manner so as to enable it to fix the rentals for dwelling accommodations at the lowest possible rates consistent with providing decent, safe and sanitary dwelling accommodations, and that no housing authority shall construct or operate any such project for profit, or as a source of revenue to the commonwealth or to the city or town in which it is located. To this end an authority shall fix the rentals for dwelling units in its projects at no higher rates than it shall find to be necessary in order to produce revenues which (together with all other available moneys, revenues, income and receipts of the authority, from whatever sources derived) will be sufficient (a) to pay, as the same become due, the principal and interest on the bonds of the authority; (b) to meet the cost of insurance, and the payments in lieu of taxes provided by section twenty-six R and to provide for maintaining, operating and using the projects and the administrative expenses of the authority; (c) to create, during not less than the twelve years immediately succeeding its issuance of any bonds, notes or other evidences of indebtedness, a reserve sufficient to meet the largest principal and interest payments which will be due on such bonds in any one year thereafter and to maintain such reserve; and (d) to provide, subject to the approval of the state housing board, such recreational and community facilities in or near a housing project or projects as the authority may deem necessary for the health and welfare of the residents in the projects under its control, and such supervision and maintenance as may be necessarily incidental thereto.

Approved August 24, 1959.

Chap. 513. AN ACT EXTENDING TO COUNTIES THE POWER TO INCREASE CERTAIN RETIREMENT ALLOWANCES, PENSIONS AND ANNUITIES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 32 of the General Laws is hereby amended by striking out section 96, inserted by chapter 387 of the acts of 1953, and inserting in place thereof the following section:—*Section 96.* A city, town or county may increase to an amount not exceeding twelve hundred dollars the annual amount of any retirement allowance, pension, annuity or other benefit, payable by it under any general or special law, to any former official or employee or to his dependent as provided in such general or special law, which is less than twelve hundred dollars; provided, that such official or employee had been in the service of such city, town or county for not less than fifteen years.

SECTION 2. Said chapter 32 is hereby further amended by striking out section 97, as amended by section 2 of chapter 559 of the acts of 1958, and inserting in place thereof the following section:—*Section 97.* Annuities or increases of retirement allowances, pensions or annuities under sections ninety-five, ninety-five A and ninety-six may be granted in any city by a two thirds vote of all the members of the city council and the approval of the mayor or city manager, as the case may be; and in a town by a two thirds vote of the voters at an annual town meeting upon recommendation of the selectmen. In a county increases under section ninety-six may be granted by a majority vote of the county commissioners.

Approved August 24, 1959.

Chap. 514. AN ACT AUTHORIZING THE CITY OF CAMBRIDGE TO CONVEY CERTAIN PARK LAND IN SAID CITY TO THE METROPOLITAN DISTRICT COMMISSION FOR THE CONSTRUCTION OF AN OUT-DOOR SWIMMING POOL THEREON.

Be it enacted, etc., as follows:

SECTION 1. The city of Cambridge may convey to the metropolitan district commission a certain parcel of land in said city which was acquired for park and playground purposes. Said parcel of land is bounded and described as follows:—

Beginning at a point in the easterly line of a right of way between land of the city of Cambridge and land of Dewey and Almy, said point being distant two hundred eight and nine tenths (208.9) feet northerly from the northerly line of Rindge avenue; thence northerly by said easterly line of right of way by three (3) lines, one hundred sixty and eighty-eight one hundredths (160.88) feet, twenty-nine and forty-eight one hundredths (29.48) feet and eighty-one and forty-four one hundredths (81.44) feet respectively to the fence line of Inner Russell Field; thence easterly by said Inner Russell Field by four (4) lines, one hundred sixty-five (165.0) feet, forty (40.0) feet and thirty (30.0) feet, and one hundred (100.0) feet respectively to a point in the easterly line of Outer Russell Field; thence southerly by said easterly line two hundred fifty (250.0) feet to a corner; thence westerly three hundred eighteen (318.0) feet to the point of beginning.

The above described parcel of land, containing seventy-seven thousand, seven hundred and forty (77,740.0) square feet is shown in red, being a portion of Lot No. 91 on Assessors' Block Plan No. 269, dated March, 1958, a copy of said plan is on file in the office of the City Engineer, City Hall, Cambridge, Mass.

Said land shall be used by the commission for the construction and maintenance of an outdoor swimming pool, and shall revert back to the city whenever it shall not be so used for any period of twelve consecutive months.

SECTION 2. Upon such conveyance, the metropolitan district commission is hereby authorized and directed to construct and maintain thereon an outdoor swimming pool and dressing rooms.

SECTION 3. This act shall take full effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter, but not otherwise.

Approved August 24, 1959.

Chap. 515. AN ACT RELATIVE TO THE SURVIVORSHIP BENEFITS OF CERTAIN WIDOWS AND CHILDREN.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately provide for the extension of certain survivorship benefits to widows and children of certain deceased members of the contributory retirement system, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public welfare.

Be it enacted, etc., as follows:

SECTION 1. The last paragraph of Option (d) of subdivision (2) of section 12 of chapter 32 of the General Laws, added by section 1 of chapter 614 of the acts of 1958, is hereby amended by adding at the end the following sentence:— Such eligible widow may in the alternative, in addition to any existing right of election under this option, elect to receive either the survivor benefits under this option or the allowances provided by section twelve B.

SECTION 2. Said chapter 32 is hereby further amended by striking out section 12B, inserted by section 2 of said chapter 614, and inserting in place thereof the following section:— *Section 12B.* If a member in service, including such a member in the uniformed division of the state police, who has not designated a beneficiary under Option (d) of subdivision (2) of section twelve other than his wife, and who has five full years of creditable service, dies and leaves a wife to whom he had been married for at least three years and with whom he was living at the time of his death or who the board finds had been living apart from said member for justifiable cause other than desertion or moral turpitude on her part, there shall be paid to such widow an allowance of one hundred dollars a month, and if there are any children of said deceased member who are under the age of eighteen or over said age and physically or mentally incapacitated from earning on the date of death of the member, an additional allowance of fifty dollars a month for one child plus an allowance of thirty-five dollars for each additional child shall be paid to the widow for the benefit of

all such children. If there is no surviving widow of such member or his surviving widow dies, such amount as would be payable to a widow under this section for her own use and for the benefit of such children shall be paid in equal shares for such surviving children to a legally appointed guardian. If a widow remarries all payments under the foregoing provisions shall terminate, and thereafter there shall be paid for the benefit of each such child thirty-five dollars monthly. Allowances payable to a widow shall terminate upon her remarriage or death; and allowances payable to or for a child shall terminate upon his adoption, upon reaching the age of eighteen unless he is physically or mentally incapacitated from earning, or upon his marriage, whichever first occurs, or upon his death. The word "child" shall include a legally adopted child of the deceased member.

The widow who meets the eligibility as provided in this section or the person who may act for a child or children who are eligible for benefits may elect to receive the allowances provided under this section or to have payment made of monies due in accordance with paragraph (c) of subdivision (2) of section eleven.

If allowances are granted under this section, any accumulated regular deductions of such member shall be transferred to the pension fund to be used, on a basis that shall be determined by the actuary, for the exclusive purpose of defraying the payment of such allowances, and shall not be included in the factors that enter into the ordinary determination of the pension appropriation required by paragraph (d) of subdivision (3) of section twenty-two.

If allowances are granted under this section any amount of accumulated additional deductions to the credit of such member shall be paid in accordance with paragraph (c) of subdivision (2) of section eleven.

That part of the allowances paid to a widow or to or for a child under this section, as determined by the actuary as not being derived from the monies transferred to the pension fund as required by this section, shall not be in addition to but shall be reduced by the amount of any benefits payable to such widow or to or for a child as old age and survivor's insurance benefit payments under the federal social security act.

SECTION 3. This act shall take effect as of October third, nineteen hundred and fifty-eight.

Approved August 26, 1959.

Chap. 516. AN ACT TO PROVIDE THAT CHILDREN OF STATE EMPLOYEES WHO ARE OVER THE AGE OF NINETEEN AND ARE STUDENTS SHALL BE ELIGIBLE FOR GROUP HOSPITAL, MEDICAL AND SURGICAL BENEFITS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith hospital, surgical and medical insurance for certain children of state employees entering schools and colleges in September, nineteen hundred and fifty-nine, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Paragraph (d) of section 2 of chapter 32A of the General Laws, as amended by section 1 of chapter 426 of the acts of the current year, is hereby further amended by adding at the end the following two sentences:—Said definition shall also include an unmarried child nineteen years of age or over who is a full-time student in an educational or vocational institution and whose program of education has not been substantially interrupted by full-time gainful employment, excluding service in the armed forces; provided, that any additional premium which may be required for the coverage of such child shall be paid in full by the employee. The standards for such full-time instruction and the time required to complete such program of education shall be determined by the commission.

Approved August 26, 1959.

Chap. 517. AN ACT AUTHORIZING THE CITY OF LEOMINSTER TO BORROW MONEY FOR THE CONSTRUCTION OF A COMBINATION POLICE STATION AND COURT HOUSE.

Be it enacted, etc., as follows:

SECTION 1. The city of Leominster is hereby authorized to borrow the sum of three hundred thousand dollars in accordance with an order of the city council approved July fourteenth, nineteen hundred and fifty-nine, for the purpose of constructing a combination police station and court house and the adoption of said order is hereby confirmed and validated. Each authorized issue of bonds and notes under said order shall constitute a separate loan, and such loans shall be paid in not more than twenty years from their dates. Indebtedness incurred under this act shall be within the statutory limit, and shall, except as herein provided, be subject to the provisions of chapter forty-four of the General Laws, including the limitation contained in the first paragraph of section seven thereof.

SECTION 2. The mayor of the city of Leominster, with the approval of the city council, is authorized to contract from time to time with the county commissioners of Worcester county for the purpose of fixing the terms under which the court house portion of the building so constructed may be used by said county.

SECTION 3. This act shall take effect upon its passage.

Approved August 26, 1959.

Chap. 518. AN ACT AUTHORIZING THE CITY OF MARLBOROUGH TO BORROW MONEY FOR WATER PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The city of Marlborough, for the purpose of extending and enlarging its water supply system and more particularly, but without limiting the generality of the foregoing, for the construction of a pumping station and for original pumping station equipment, for the construction of two water storage tanks, including the acquisition of land, and for laying water mains of not less than six inches in

diameter, may borrow from time to time, within five years from the passage of this act, such sums as may be necessary not exceeding, in the aggregate, nine hundred thousand dollars, and may issue bonds or notes of the city therefor which shall bear on their face the words, Marlborough Water Loan, Act of 1959. Each authorized issue shall constitute a separate loan and such loans shall be paid in not more than twenty-five years from their dates. Indebtedness incurred under this act shall be within the limits of the amount prescribed by the last paragraph of section eight of chapter forty-four of the General Laws and, except as otherwise provided herein, shall be subject to the provisions of said chapter.

SECTION 2. This act shall take effect upon its passage.

Approved August 26, 1959.

Chap. 519. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF WORCESTER COUNTY TO PAY A SUM OF MONEY TO THE ESTATE OF JULIA M. DOYLE FOR DAMAGES RESULTING FROM CERTAIN LAND TAKINGS BY THEM.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of law to the contrary and in order to discharge a moral obligation, the county commissioners of Worcester county are hereby authorized to pay to the estate of Julia M. Doyle the sum of eighteen thousand three hundred dollars as damages in connection with the taking by said county commissioners by eminent domain of a parcel of land owned by the said Julia M. Doyle on Harvard street in the city of Worcester for an addition to the Worcester county court house, the time having expired within which a petition could legally be brought for the assessment of damages because of such land taking.

SECTION 2. No payment shall be made hereunder until there has been filed with said county commissioners an agreement signed by the legal representative of the estate of Julia M. Doyle that the amount, if any, paid or to be paid for legal or other services rendered in connection with the passage of this act shall not exceed ten per cent of the amount paid or payable hereunder.

SECTION 3. This act shall take effect upon its passage.

Approved August 26, 1959.

Chap. 520. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO CONVEY A CERTAIN PARCEL OF LAND OF THE COMMONWEALTH LOCATED IN THE TOWN OF PLYMOUTH TO CHARLES L. CLAPP AND JENNIE C. CLAPP.

Be it enacted, etc., as follows:

SECTION 1. The department of public works, in the name and on behalf of the commonwealth, is hereby authorized, subject to the approval of the governor and council, to convey to Charles L. Clapp and Jennie C. Clapp, husband and wife, both of Quincy, a parcel of land

located in Bartlett Pond of the White Horse beach section of Plymouth, being described as a 22,700 square feet, more or less, boot-shaped peninsula piece of land connected by a 90-foot strip of land to the southerly line of Homer avenue between land owned now or formerly by James Anderson and being shown as Lot 115 (see Land Court Certificate 2833) and land owned now or formerly by Alice H. Arnold et al., and being shown as Lot B on Land Court Plan 10020F.

SECTION 2. This act shall take effect upon its passage.

Approved August 26, 1959.

Chap. 521. AN ACT PROVIDING THAT THE MEMBERS OF THE TREE PLANTING COMMITTEE IN THE TOWN OF BROOKLINE BE APPOINTED BY THE SELECTMEN.

Be it enacted, etc., as follows:

SECTION 1. The members of the tree planting committee, established by section one of chapter fifty-seven of the acts of eighteen hundred and eighty-five, as most recently amended by section one of chapter forty-five of the acts of nineteen hundred and twenty-two, shall hereafter be appointed by the selectmen, but shall be subject to all other provisions of said section one of said chapter fifty-seven, as amended. Upon the initial appointments of said members by the selectmen, the terms of office of the members of the tree planting committee who were chosen by ballot shall terminate.

The initial appointments of the members of said committee shall be for terms of one, two and three years, respectively, from the first day of May next following such appointment, or until their successors are qualified; and thereafter the selectmen shall annually, before the first day of May, appoint one such member for a term of three years from the first day of May.

SECTION 2. This act shall be submitted for acceptance to the voters of the town of Brookline at the annual town meeting in the year nineteen hundred and sixty in the form of the following question which shall be placed upon the official ballot to be used for the election of town officers at said meeting:—"Shall an act passed by the General Court in the year nineteen hundred and fifty-nine, entitled 'An Act providing that the members of the tree planting committee in the town of Brookline be appointed by the selectmen', be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise.

Approved August 26, 1959.

Chap. 522. AN ACT RELATIVE TO THE ENFORCEMENT OF REGULATIONS ESTABLISHED UNDER THE STATE SANITARY CODE.

Be it enacted, etc., as follows:

Section 5 of chapter 111 of the General Laws, as most recently amended by section 1 of chapter 678 of the acts of 1957, is hereby further amended by striking out the second, third and fourth para-

graphs and inserting in place thereof the following three paragraphs:—

Said department shall adopt and may from time to time amend, public health regulations to be known as the state sanitary code, which may provide penalties for violations thereof not exceeding five hundred dollars for any one offence. Said code shall become effective and have the force of law upon filing with the state secretary or at such later date as may be specified by the department. The code shall deal with matters affecting the health and well-being of the public in the commonwealth in subjects over which the department takes cognizance and responsibility. Nothing contained in the code shall be in conflict with any general or special laws. This section shall not be deemed to limit the right of any board of health to adopt such rules and regulations as, in its opinion, may be necessary for the particular locality under its jurisdiction; provided, such rules and regulations do not conflict with the laws of the commonwealth or the provisions of the code.

Local boards of health shall enforce said code in the same manner in which local health rules and regulations are enforced but if any such local board fails after the lapse of a reasonable length of time to enforce the same the department may in like manner enforce said code against any violator.

The superior court shall have jurisdiction in equity to enforce the provisions of said code.

Approved August 26, 1959.

Chap. 523. AN ACT RELATIVE TO THE MAXIMUM COMPENSATION WHICH MAY BE PAID TO THE CITY MANAGER OF THE CITY OF BROCKTON.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of section eighty-nine of chapter forty-three of the General Laws to the contrary, the city manager of the city of Brockton shall receive such compensation as the city council of said city shall determine, but not exceeding fifteen thousand dollars annually.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter, but not otherwise.

Approved August 26, 1959.

Chap. 524. AN ACT DESIGNATING THE QUABBIN AQUEDUCT, SO CALLED, AS THE JAMES M. CURLEY AQUEDUCT.

Be it enacted, etc., as follows:

The Quabbin aqueduct, so called, from Quabbin reservoir to Wachusett reservoir shall be known and designated as the James M. Curley aqueduct, and a suitable tablet bearing such designation shall be erected and maintained in a suitable location at said aqueduct by the metropolitan district commission. For the purpose of this act said commission may expend such sums as may be appropriated therefor.

Approved August 26, 1959.

Chap. 525. AN ACT RELATIVE TO THE ABATEMENT OF AN EXCISE ON SPECIAL FUELS.

Be it enacted, etc., as follows:

Section 27 of chapter 58 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by section 19 of chapter 654 of the acts of 1953, and inserting in place thereof the following sentence:—If it shall appear that an income tax, a legacy and succession tax, or a tax or excise upon a corporation, foreign or domestic, or an excise upon the sale of gasoline or special fuels, or an excise on alcoholic beverages or alcohol, or an excise upon charges for meals was in whole or in part illegally assessed or levied, or was excessive or unwarranted, the commission may issue a certificate that the party aggrieved by such tax or excise is entitled to an abatement, stating the amount thereof.

Approved August 26, 1959.

Chap. 526. AN ACT REGULATING THE COMPENSATION OF TEMPORARY PROBATION OFFICERS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 276 of the General Laws is hereby amended by striking out section 89, as most recently amended by section 17A of chapter 731 of the acts of 1956, and inserting in place thereof the following section:—*Section 89.* The superior court or the justice of a district court may, in the absence of a probation officer appoint a temporary probation officer, who shall have the powers and perform the duties of such probation officer and shall receive as compensation for each day's service an amount equal to the rate by the day of the minimum compensation of a regular probation officer according to the salary schedule as established by the committee on probation but compensation so paid to a temporary probation officer for service, in excess of thirty days in any one year, shall be deducted from the compensation of the probation officer in whose place such service is rendered; provided, however, that if a probation officer is absent, due to his illness or physical disability, for a period not exceeding thirty days in any year, in addition to said thirty days, he shall be deemed to be on sick leave and no such deduction shall be made. Such thirty days' sick leave or any portion thereof not used in any year may be accumulated, but shall, in any event, not exceed ninety days in any consecutive three year period. If the person so appointed holds an office or position, the salary or compensation for which is paid out of the treasury of the commonwealth, or of a county, or of a municipality, he shall not receive the salary of both offices or positions during the period of such temporary service.

The justice of a district court, with the approval of the administrative committee of district courts, may, in the case of the death, removal, resignation or retirement of a probation officer, appoint a temporary probation officer for a single term not to exceed ninety days. Such temporary probation officer shall receive as compensation from the county an amount equal to that which would have been paid, for a

like period of service, to a regular probation officer receiving the minimum compensation according to the salary schedule as established by the committee on probation. No temporary probation officer appointed under this section shall serve for more than ninety days unless his appointment to such temporary office has been approved by the commissioner of probation.

SECTION 2. Notwithstanding the provisions of section eighty-nine of chapter two hundred and seventy-six of the General Laws, as appearing in section one, a person appointed thereunder as a temporary probation officer shall not receive as compensation an amount in excess of the compensation payable to the probation officer in whose place he serves.

Approved August 26, 1959.

Chap. 527. AN ACT PROVIDING FOR THE USE OF FRACTIONS OF A YEAR IN CERTAIN CASES FOR COMPUTING THE AMOUNT OF RETIREMENT ALLOWANCE UNDER THE CONTRIBUTORY RETIREMENT LAW.

Be it enacted, etc., as follows:

SECTION 1. Chapter 661 of the acts of 1957 is hereby amended by striking out section 4, as amended by chapter 416 of the acts of 1958, and inserting in place thereof the following section:—*Section 4.* This act shall take effect as of May thirty-first, nineteen hundred and fifty-seven; but anything in sections one to three, inclusive, of this act to the contrary notwithstanding, the retirement allowance of any person who on May thirty-first, nineteen hundred and fifty-seven was either a member in service, or a member inactive except one who has been retired and who is receiving a retirement allowance, of a retirement system subject to sections one to twenty-eight, inclusive, of chapter thirty-two of the General Laws, shall in no event be less than the retirement allowance provided by the provisions of law in effect immediately prior to the effective date of this act; nor shall the benefit of any beneficiary of such person be less than the benefit so provided. In determining the provisions of law in effect immediately prior to the effective date of this act for the purpose of computing the retirement allowance of a person who on May thirty-first, nineteen hundred and fifty-seven, was either a member in service, or a member inactive of a retirement system subject to sections one to twenty-eight, inclusive, of chapter thirty-two of the General Laws, the words “two per cent of said compensation for each year of creditable service after the first twenty” in lines 20, 21 and 22 of paragraph (a) of subdivision (2) of section five of said chapter thirty-two, as appearing in section one of chapter seven hundred and eighty-three of the acts of nineteen hundred and fifty-one, shall be construed as if they read:—one sixth of one per cent of said compensation for each full month of creditable service after the first twenty years.

SECTION 2. This act shall apply only to persons retiring on or after the effective date of this act.

Approved August 26, 1959.

Chap. 528. AN ACT RELATIVE TO MARKING, ADVERTISING AND STORING APPLES.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 94 of the General Laws is hereby amended by striking out the definition "Closed package", as appearing in the Tercentenary Edition.

SECTION 2. Section 100 of said chapter 94, as so appearing, is hereby repealed.

SECTION 3. Said chapter 94 is hereby further amended by striking out sections 101 to 109, inclusive, as so appearing, and inserting in place thereof the following nine sections:—

Section 101. The commissioner of agriculture shall establish and promulgate official grades of apples packed or repacked within the commonwealth, and may from time to time amend or modify such grades. Before establishing, amending or modifying any such grades, the commissioner shall consult with growers and shippers of apples relative to proposed grades, or, upon written petition of twenty-five or more growers producing annually an aggregate of not less than one hundred thousand bushels of apples, the commissioner shall, after reasonable notice, specifying the date, place and purpose of the proposed hearing, hold a public hearing for the purpose of obtaining information with a view to establishing, or amending or modifying, as the case may be, such official grades. The grades so established and promulgated shall include grades identical in name and requirements with all grades or standards of apples as promulgated, from time to time, by the secretary of agriculture of the United States and commonly known as the United States grades.

Section 102. The person possessing the apples at any time shall be deemed responsible for the proper marking of the apples. Each package of apples packed or repacked within the commonwealth and intended for sale within or without the commonwealth, shall be marked or branded at the time of packing, repacking or closing with a statement of the name and legal address of the person by whose authority the apples were packed, the true name of the variety, the official grade designation, and the minimum size or numerical count of the apples contained therein. Each package, lot or open bulk display of apples sold, offered, exposed or advertised for sale at retail shall be plainly marked and identified as to variety, official grade and size. The provisions of this section shall not apply to apples that are in transit from the grower to storage, packer, repacker, or processor, provided that invoices from the grower showing the destination, quantity and ownership of such apples accompany each lot. If the true name of the variety is not known the marks shall include the words "variety unknown".

Section 103. Open bulk display signs, printed sales statements and all advertisements by radio, television, newspaper or other media shall state the variety, official grade designation and size of apples whenever the price is shown, stated or written in connection with the sale of apples.

Section 104. No person shall sell or offer for sale, or transport for sale, in either open or closed packages, apples packed in such a manner that the faced or shown surface shall not be an average of the contents of the package.

Section 105. For the purpose of section one hundred and one to one hundred and nine, inclusive, apples packed in closed or open packages or apples in open bulk displays shall be deemed to be misbranded:—

First. If any package, or any open bulk display fails to bear all statements required under section one hundred and two.

Second. If any package whether packed or repacked within or without the commonwealth, is falsely branded or bears any statement, design or device regarding the apples contained therein which is false or misleading, or if any package bears any statement, design or device indicating that the apples contained therein are of a specified grade established and promulgated under section one hundred and one, and said apples, when packed or repacked, do not conform to the requirements prescribed for such grade, or if any package bears any statement, design or device other than an official grade designation describing the grade or quality of the apples therein.

Section 106. The commissioner of agriculture shall make and may modify rules and regulations for enforcing sections one hundred and one to one hundred and nine, inclusive, and shall, either in person or by his assistant, have free access at all reasonable hours to any place, building or vehicle wherein apples are packed, stored, transported, sold, offered or exposed for sale or for transportation at any time. He may also, in person or by his assistant, open each box, package or other container, and upon tendering the market price, may take as a sample such container, with or without its contents, or any apples therefrom.

Section 107. The commissioner of agriculture and his duly authorized assistants shall have authority to enforce sections one hundred and one to one hundred and five, inclusive, and one hundred and nine, and to prosecute all violations thereof. Before any prosecution is begun by the commissioner of agriculture or any of his duly authorized assistants the parties concerned shall be given an opportunity to be heard before the said commissioner or a person designated by him for such purpose. The parties concerned shall be given reasonable notice of hearing, specifying the day, hour and place thereof and accompanied by a description of the alleged violation. Such hearings shall be governed by rules and regulations prescribed by said commissioner.

Section 108. Whoever, himself or by his servant or agent misbrands apples within the meaning of section one hundred and five or advertises apples for sale in violation of section one hundred and three, or packs, repacks, sells, distributes or offers or exposes for sale or distribution apples which are misbranded, or packs, repacks, sells, distributes or offers for sale or distribution apples in closed or open packages so packed or repacked that the faced or shown surface gives a false representation of the color, size or quality of the other apples in the package, or packs, repacks, sells, distributes, offers or exposes

for sale or distribution apples otherwise in violation of any provision of section one hundred and one to one hundred and nine, inclusive, or wilfully alters, effaces or removes, or causes to be altered, effaced or removed, wholly or partly, any brands or marks put upon any package of apples under authority of said sections, shall be punished for the first offence by a fine of not more than fifty dollars, and for a subsequent offence by a fine of not more than two hundred dollars. Whoever obstructs or hinders the commissioner of agriculture or any of his assistants in the performance of his duties under sections one hundred and one to one hundred and seven, and section one hundred and nine, inclusive, shall be punished by a fine of not less than ten nor more than one hundred dollars.

Section 109. No person shall sell or exchange or offer or expose for sale or exchange or transport for sale any apples represented as having been exposed to "controlled atmosphere" or "modified atmosphere" or shall so use any such term or form of words or symbols of similar import on any container or lot of apples advertised, sold, offered for sale or transported for sale within this state unless such apples have been kept in a room or storage building with not more than five per cent oxygen for a minimum of ninety days. A storage record on a form approved by the commissioner of agriculture shall be kept at a convenient location adjacent to said room or storage building from the day of sealing to the day of opening of said room or storage building, and shall be preserved for inspection at any time by said commissioner or his authorized agents for a period of not less than one year after such opening.

Approved August 26, 1959.

Chap. 529. AN ACT PROVIDING THAT COUNTY TUBERCULOSIS HOSPITALS MAY UNDER CERTAIN CONDITIONS ADMIT PERSONS SUFFERING WITH CHRONIC DISEASES AS PATIENTS.

Be it enacted, etc., as follows:

Chapter 111 of the General Laws is hereby amended by inserting after section 78 the following section:— *Section 78A.* The trustees of a county tuberculosis hospital may admit as patients in said hospital persons who are suffering from chronic disease; provided, that sufficient beds are at all times available for persons with tuberculosis who are eligible for admission to said hospital; and provided, further, that before the trustees admit any such chronic disease patients, said hospital is inspected by the department, is duly licensed under section seventy-one, and otherwise complies with sections seventy-two and seventy-three. Such trustees shall promulgate rules and regulations concerning the admission of such chronic disease patients as well as the method of reimbursement and the charges for their care and treatment, notwithstanding any contrary provision of this chapter. The charges to the general public shall be at least equal to the all-inclusive per diem cost of care in said hospital for public ward accommodations or their equivalent as determined by the director of the division of hospital costs and finances, under section thirty K of chapter seven. Such rules and regulations shall be approved by the department before taking effect.

Approved August 26, 1959.

Chap. 530. AN ACT INCREASING BENEFITS TO WIDOWS AND CHILDREN OF EMPLOYEES KILLED IN INDUSTRIAL ACCIDENTS.

Be it enacted, etc., as follows:

Section 31 of chapter 152 of the General Laws is hereby amended by striking out the second paragraph, as most recently amended by chapter 588 of the acts of 1956, and inserting in place thereof the following paragraph:—

To the widow or widower, so long as she or he remains unmarried, thirty dollars a week if and so long as there is no child of the employee, who is under the age of eighteen, or over said age and physically or mentally incapacitated from earning; to or for the use of the widow or widower and for the benefit of all children of the employee, thirty-five dollars a week if and so long as there is one such child, and five dollars more a week for each such additional child; provided, that in case any such child is a child by a former wife or husband, the death benefit shall be divided between the surviving wife or husband and all living children of the deceased employee in equal shares, the surviving wife or husband taking the same share as a child. If the widow or widower dies, such amount or amounts as would have been payable to or for her or his own use and for the benefit of all children of the employee shall be paid in equal shares to all the surviving children of the employee. If the widow or widower remarries, all payments under the foregoing provisions shall terminate and the insurer shall pay each week to each of such children of the employee ten dollars a week. If there is no surviving wife or husband of the deceased employee, such amount or amounts as would have been payable under this section to or for the use of a widow or widower and for the benefit of all such children of the employee, shall be paid in equal shares to all such surviving children of the employee, but no individual shall receive an amount in excess of thirty-five dollars a week. The total amount of payments and the period of payments in all cases under this section shall not be more than fourteen thousand dollars nor continue for more than four hundred weeks, except that payment to or for the benefit of children of the deceased employee under the age of eighteen shall not be discontinued prior to the age of eighteen, and except that after a dependent unremarried widow or physically or mentally incapacitated child over the age of eighteen has received the maximum payments, he or she shall continue to receive further payments, but only during such periods as he or she is in fact not fully self-supporting. Either party may request hearings at reasonable intervals before a board member on the question of granting such payments, or on the question of restoration of such payments, or on the question of the discontinuance of such payments. A member of the board may set a case for hearing on his own initiative, after due notice to both parties. *Approved August 26, 1959.*

Chap. 531. AN ACT AUTHORIZING THE CITY OF CAMBRIDGE TO INCREASE THE RETIREMENT ALLOWANCE OF KATHERINE M. MCNAMARA.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any other provisions of law to the contrary, the city of Cambridge is hereby authorized and directed to increase the retirement allowance of Katherine M. McNamara, a former employee thereof, by the sum of one hundred thirty-seven dollars and fifty-two cents annually, said increase to be retroactive to December twenty-third, nineteen hundred and fifty-four.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter, but not otherwise.

Approved August 26, 1959.

Chap. 532. AN ACT AUTHORIZING THE COMMONWEALTH TO GRANT AN EASEMENT OVER, ACROSS AND UPON CERTAIN LAND, FOR THE TRANSMISSION OF ELECTRIC POWER, TO NEW ENGLAND POWER COMPANY.

Be it enacted, etc., as follows:

Subject to the approval of the governor and council, the director of the division of fisheries and game, in the name and behalf of the commonwealth, in consideration of the sum of five hundred dollars, may grant to New England Power Company, an electric company organized and existing under the laws of the commonwealth, an easement for the construction, maintenance and operation of towers, poles and wires for the transmission of electricity on, over and across a certain portion of land of the commonwealth in the town of Sutton, which is under the control and custody of said division of fisheries and game, said portion of land being approximately two hundred feet wide and approximately three hundred and fifty feet long and containing approximately seventy thousand square feet of land. Said easement shall be in such form and at such location as the said director may approve and deem proper.

Approved August 26, 1959.

Chap. 533. AN ACT PROVIDING THAT EMPLOYMENT WHICH WOULD REQUIRE A FEMALE TO WORK DURING CERTAIN HOURS SHALL NOT BE DEEMED SUITABLE EMPLOYMENT UNDER THE EMPLOYMENT SECURITY ACT.

Be it enacted, etc., as follows:

The third paragraph of subsection (c) of section 25 of chapter 151A of the General Laws, as appearing in section one of chapter 685 of the acts of 1941, is hereby amended by adding at the end the following clause:—

(4) If in the case of a female the acceptance of such work would require her to work between the hours of eleven o'clock post meridian and six o'clock ante meridian.

Approved August 26, 1959.

Chap. 534. AN ACT AUTHORIZING THE CITY OF LOWELL TO INCREASE THE NUMBER OF CERTAIN SCHOLARSHIPS WHICH IT MAY PROVIDE AT THE STATE TEACHERS COLLEGE AT LOWELL.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 578 of the acts of 1956 is hereby amended by striking out, in line 2, the word "ten" and inserting in place thereof the word:—twenty,—so as to read as follows:—*Section 1.* The city of Lowell may annually provide for not more than twenty four year course day scholarships at the state teachers college at Lowell for residents of Lowell, the sum so required to be raised by taxation.

SECTION 2. This act shall take effect upon its acceptance during the current year by vote of the city council of said city, in accordance with the provisions of its charter, but not otherwise.

Approved August 26, 1959.

Chap. 535. AN ACT ESTABLISHING MINIMUM PAYMENTS TO THE TOWN OF PEMBROKE BY THE CITY OF BROCKTON AND THE TOWNS OF ABINGTON AND ROCKLAND IN LIEU OF TAXES ON PROPERTY USED FOR PURPOSES OF WATER SUPPLY.

Be it enacted, etc., as follows:

Notwithstanding the provisions of section six of chapter fifty-nine of the General Laws or any other provision of general or special law to the contrary, the annual amounts to be paid in the year nineteen hundred and sixty and in subsequent years to the town of Pembroke by the city of Brockton and the towns of Abington and Rockland, in lieu of taxes on property held for the purposes of water supply or the protection of its sources in the town of Pembroke shall not be less than the amounts so paid by the aforesaid city and towns to the town of Pembroke in the year nineteen hundred and fifty-nine.

Approved August 26, 1959.

Chap. 536. AN ACT AUTHORIZING THE CITY OF BOSTON TO INTERCHANGE THE USE OF CERTAIN PLAYGROUND AND SCHOOL LANDS IN THE ROXBURY DISTRICT OF SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. That portion of the estate at Mozart and Bolster streets in the Roxbury district of the city of Boston consisting of land taken by eminent domain by the board of street commissioners of said city, as evidenced by the instrument recorded on November 5, 1917, with Suffolk Registry of Deeds, Book 4062, Page 10, which is now held by said city for playground purposes, is hereby transferred from the charge and control of the parks and recreation commission of said city to the charge and control of the school committee of said city and shall be held by said city for school purposes; and that portion of the estate at Centre and Mozart streets in said district consisting of the lands acquired by said city from John Johnson by deeds dated August

1, 1872, and June 10, 1874, and recorded with Suffolk Registry of Deeds, Book 1122, Page 229, and Book 1217, Page 266, which is now held by said city for school purposes, is hereby transferred from the control and charge of said school committee to the control and charge of said parks and recreation commission and shall be held by said city for playground purposes.

SECTION 2. Upon the acceptance of this act, sixty-six thousand dollars shall be set aside out of the funds appropriated for the construction of new school buildings and without further appropriation may be expended under the direction of said parks and recreation commission in developing as a playground the aforesaid estate at the corner of Centre and Mozart streets.

SECTION 3. This act shall take full effect upon its acceptance by vote of the school committee of said city and, after recommendation of the parks and recreation commission of said city, by vote of the city council of said city, subject to the provisions of its charter, but not otherwise.

Approved August 26, 1959.

Chap. 537. AN ACT AUTHORIZING THE CITY OF MEDFORD TO PAY A SUM OF MONEY TO JAMES L. KELLEY OF MEDFORD, THE FATHER OF PETER J. KELLEY.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the fact that notice of injury was not given nor action commenced as required by section eighteen of chapter eighty-four of the General Laws, and for the purpose of discharging a moral obligation, the city of Medford may appropriate and pay to James L. Kelley of said city such sums, not exceeding fifteen hundred dollars, as may be necessary to reimburse him for hospital, medical and other expenses incurred by him on account of injuries suffered by his minor son, Peter J. Kelley, as a result of sidewalk defect at the intersection of Osborn and Woburn streets in said city.

SECTION 2. This act shall take effect upon its acceptance during the current year by vote of the city council of said city, in accordance with the provisions of its charter, but not otherwise.

Approved August 26, 1959.

Chap. 538. AN ACT AUTHORIZING THE CITY OF SPRINGFIELD TO SELL OR OTHERWISE DISPOSE OF CERTAIN LAND SITUATED IN SAID CITY.

Be it enacted, etc., as follows:

The city of Springfield, acting by and through its mayor and its city council, may, by sale, lease, exchange or otherwise, transfer and dispose of certain real property situated in said city and formerly conveyed to it for park purposes, said property being bounded and described as follows: Beginning at the intersection of the northerly line of the Boston & Albany Railroad and the easterly side of Roosevelt Avenue; thence North 5° 58' 10" West along the easterly side of

Roosevelt Avenue a distance of six hundred forty-four and 10/100 (644.10) feet to a point; thence by a curve to the left whose radius is two thousand five hundred and forty (2540) feet along the easterly side of Roosevelt Avenue an arc distance of seven hundred forty-two and 67/100 (742.67) feet to a point; thence North 22° 43' 20" West along the easterly side of Roosevelt Avenue a distance of three hundred fifty-two and 29/100 (352.29) feet to a point; thence by a curve to the right whose radius is one hundred ninety-six and 58/100 (196.58) feet along the easterly side of Roosevelt Avenue an arc distance of one hundred seven and 02/100 (107.02) feet to a point; thence by a curve to the left whose radius is one hundred seventy-three and 50/100 (173.50) feet along the easterly side of Roosevelt Avenue an arc distance of one hundred eighty-eight and 91/100 (188.91) feet to a point; thence by a curve to the right whose radius is one hundred ninety-six and 58/100 (196.58) feet along the easterly side of Roosevelt Avenue an arc distance of one hundred seven and 02/100 (107.02) feet to a point; thence North 22° 43' 20" West along the easterly side of Roosevelt Avenue a distance of nine hundred forty-eight and 97/100 (948.97) feet to the southerly line of the Athol Branch of the Boston & Albany Railroad; thence North 40° 17' 30" East along the southerly line of the Athol Branch of the Boston & Albany Railroad a distance of nine hundred fifteen and 78/100 (915.78) feet to a point; thence North 44° 24' 50" East along the southerly line of the Athol Branch of the Boston & Albany Railroad a distance of sixty and 95/100 (60.95) feet to the northwesterly end of Cottage Street; thence South 79° 12' 55" East along the southwesterly end of Cottage Street a distance of ninety-six and 08/100 (96.08) feet to the southwesterly end of Cottage Street; thence by a curve to the right whose radius is five hundred thirty-six and 52/100 (536.52) feet along the southerly side of Cottage Street an arc distance of four hundred sixty-eight and 70/100 (468.70) feet to a point; thence South 85° 32' 00" East along the southerly side of Cottage Street a distance of two hundred seventy-four and 87/100 (274.87) feet to land now or formerly of K. S. K. Realty Co., Inc.; thence South 23° 46' 23" East along land now or formerly of K. S. K. Realty Co., Inc. a distance of three thousand two hundred eighty-three and 31/100 (3283.31) feet to the northerly line of the Boston & Albany Railroad; thence South 67° 32' 50" West along the northerly line of the Boston & Albany Railroad a distance of one hundred twenty-eight and 83/100 (128.83) feet to a point; thence South 6° 57' 10" East along land of the Boston & Albany Railroad a distance of four and 28/100 (4.28) feet to a point; thence South 67° 32' 50" West along the northerly line of the Boston & Albany Railroad a distance of one thousand eight hundred seventy-three and 92/100 (1873.92) feet to the point of beginning, and containing 131.502 acres of land, and being the premises conveyed to the city of Springfield and recorded in the Hampden County Registry of Deeds in Book 1472, Page 567 and Book 1472, Page 427, January 16, 1931 and December 30, 1930 respectively excluding widening and alteration of Roosevelt Avenue easterly line as laid out May 22, 1933 and the widening and alteration of Cottage street as laid out February 26, 1934. Any contract of sale, lease, exchange, transfer or other

disposition in whole or part of the property above described, commonly known as the Memorial Golf Course, made by the city of Springfield or its assigns, transferees, lessees or agents, shall contain as a condition thereof a stipulation which will insure to the residents of Springfield that there will be no interference with their use of the present Memorial Golf Course as a golf course until such time as a new public golf course replacing the present Memorial Golf Course is open for use by the public.

SECTION 2. This act shall take effect upon its acceptance by the city council of the city of Springfield, subject to the provisions of its charter, but not otherwise.

Approved August 26, 1959.

Chap. 539. AN ACT ESTABLISHING THE DATE UPON WHICH BUILDINGS AND STRUCTURES, EXCEPT THE STATE HOUSE, OWNED OR OCCUPIED BY THE COMMONWEALTH OR ANY OF ITS POLITICAL SUBDIVISIONS, SHALL COMPLY WITH CERTAIN PROVISIONS OF THE LAW RELATING TO THE SAFETY OF PERSONS IN BUILDINGS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to defer immediately the date upon which buildings and structures, except the state house, owned or occupied by the commonwealth or any of its political subdivisions, shall comply with certain provisions of the law relating to the safety of persons in buildings, therefore it is hereby declared to be an emergency law, necessary for the preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Chapter 582 of the acts of 1948 is hereby amended by striking out section 3, as amended by chapter 487 of the acts of 1957, and inserting in place thereof the following section:—*Section 3.* This act shall take effect on July first, nineteen hundred and sixty-one.

SECTION 2. This act shall take effect as of July first, nineteen hundred and fifty-nine.

Approved August 27, 1959.

Chap. 540. AN ACT PROVIDING FOR THE SALE OF AVIATION FUEL TAX-FREE.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith distributors of gasoline fuels to sell such fuel tax-free, provided such fuel is sold as aviation fuel, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 8A of chapter 64A of the General Laws, as amended by section 7 of chapter 617 of the acts of 1957, is hereby further amended by adding at the end the following sentence:—He may sell fuel commonly or commercially known or sold as aviation fuel,

tax-free, provided that he complies with such rules and regulations as the state tax commission may prescribe, including, but not limited to, rules and regulations to insure that such fuel is used for aviation purposes.

SECTION 2. This act shall take effect on September first, nineteen hundred and fifty-nine.

Approved August 31, 1959.

Chap. 541. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO MAKE REGULATIONS TO EXCLUDE, GOVERN AND RESTRICT THE USE OF LIMITED ACCESS AND EXPRESS STATE HIGHWAYS.

Whereas, The deferred operation of this act would defeat its purpose, which is to immediately provide for the public safety on limited access and express highways, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

Be it enacted, etc., as follows:

Chapter 85 of the General Laws is hereby amended by inserting after section 2A the following section:—*Section 2B.* The department for purpose of promoting public safety upon limited access and express state highways, may from time to time make, alter, rescind or add to regulations to exclude, govern and restrict the use of such state highways by horse-drawn vehicles, bicycles, pedestrians, and vehicles determined by the department, because of their type or because of materials or products being transported, as unsafe for limited access and express state highways, bridges, tunnels or overhead highway structures, which regulations may provide penalties for the violation thereof not exceeding twenty dollars for each offense, excepting regulations prohibiting the transportation of unsafe materials or products, the penalties for violation of which shall not exceed five hundred dollars for each offense.

Approved August 31, 1959.

Chap. 542. AN ACT RELATIVE TO THE APPOINTMENT OF THE CLERK OF COMMITTEES IN THE CITY OF FALL RIVER.

Be it enacted, etc., as follows:

SECTION 1. Chapter 187 of the acts of 1938 is hereby amended by striking out section 1 and inserting in place thereof the following section:—*Section 1.* The clerk of committees in the city of Fall River shall be appointed by the city council, to hold office for two years and until his successor is qualified, notwithstanding any provision of chapter forty-three of the General Laws to the contrary.

SECTION 2. This act shall take effect upon its acceptance during the current year by vote of the city council of said city, subject to the provisions of its charter, but not otherwise, and shall apply to appointments beginning with the first Monday of January in the year nineteen hundred and sixty.

Approved August 31, 1959.

Chap. 543. AN ACT RELATIVE TO THE FURTHER REGULATION OF CARRIERS OF PROPERTY BY MOTOR VEHICLE.

Be it enacted, etc., as follows:

SECTION 1. Paragraph (c) of section 3 of chapter 159B of the General Laws, as most recently amended by section 1 of chapter 52 of the acts of 1947, is hereby further amended by striking out, in line 2, the word "sixty" and inserting in place thereof the word:—ninety,—so as to read as follows:—

(c) Any regular or irregular route common carrier who, during any period of not less than ninety consecutive days since the fifth day of June, nineteen hundred and forty-six, fails or has failed to render any part of the service authorized by his certificate except for the reason that the ways over which he must operate are impassable because of floods, condition of the highways or for other reasonable causes shall be deemed to have abandoned that part of the service authorized by his certificate, and if, after a hearing, the department finds that such carrier has so failed to render service in accordance with his certificate, and not for any reason set forth in the foregoing exceptions, his rights thereto to the extent of his failure to render service shall be forfeited and the department shall reissue his certificate subject to the resulting limitations.

SECTION 2. The third paragraph of section 5 of said chapter 159B, as appearing in section 1 of chapter 483 of the acts of 1938, is hereby amended by inserting after the word "to", in line 3, the words:—shippers or,—so as to read as follows:—The department shall from time to time establish reasonable maximum fees, no fees in excess of which shall be charged by said brokers to shippers or motor carriers for services as brokers.

SECTION 3. Section 13 of said chapter 159B is hereby amended by striking out the first sentence, as amended by chapter 262 of the acts of 1951, and inserting in place thereof the following sentence:—Motor vehicles owned by the commonwealth or any of its political subdivisions and motor vehicles engaged under a contract with a city or town in the transportation of garbage or refuse shall be subject to section eighteen, but shall be exempt from all other provisions of this chapter.

Approved August 31, 1959.

Chap. 544. AN ACT PROVIDING FOR THE CONSTRUCTION OF A NEW STATE POLICE SUBSTATION IN THE TOWN OF STURBRIDGE.

Be it enacted, etc., as follows:

The department of public safety is hereby authorized to construct in the town of Sturbridge, on a site to be selected by said department, a new state police substation to replace the present substation in the town of Charlton, and to furnish and equip the same. Said department may acquire by transfer, purchase or by eminent domain, under chapter seventy-nine of the General Laws, or otherwise, such land as may in its judgment be necessary.

For the purpose of carrying out the provisions of this act said department may expend such sums as may be appropriated therefor.

Approved August 31, 1959.

Chap. 545. AN ACT INCREASING THE AMOUNT OF COMPENSATION PAYABLE FOR CERTAIN SPECIFIC INJURIES UNDER THE WORKMEN'S COMPENSATION ACT.

Be it enacted, etc., as follows:

SECTION 1. Section 36 of chapter 152 of the General Laws is hereby amended by striking out paragraph (f), as appearing in chapter 519 of the acts of 1949, and inserting in place thereof the following paragraph:—

(f) For the loss of hearing of both ears, three hundred weeks.

SECTION 2. Said section 36 of said chapter 152 is hereby further amended by striking out paragraphs (n) and (o), as so appearing, and inserting in place thereof the following two paragraphs:—

(n) For the loss by severance of either leg at the hip, a period of one hundred and seventy-five weeks; for the loss by severance of both legs at the hip, a period of four hundred weeks.

(o) For the loss by severance of either foot at any point above the ankle joint, a period of one hundred and twenty-five weeks; for the loss by severance of both feet at any point above the ankle joint, a period of three hundred and twenty-five weeks.

SECTION 3. Said section 36 of said chapter 152 is hereby further amended by inserting after paragraph (r) the following two paragraphs:—

(s) For loss by severance of both hands at the wrist, a period of three hundred weeks.

(t) For loss by severance of both arms at the shoulder, a period of four hundred weeks.

Approved August 31, 1959.

Chap. 546. AN ACT PROVIDING FOR THE JUDICIAL ENFORCEMENT OF COLLECTIVE BARGAINING AGREEMENTS TO ARBITRATE.

Be it enacted, etc., as follows:

SECTION 1. The General Laws are hereby amended by inserting after chapter 150B the following chapter:—

CHAPTER 150C.

COLLECTIVE BARGAINING AGREEMENTS TO ARBITRATE.

Section 1. A written agreement or a provision in a written agreement between a labor organization or organizations, as defined in subsection (5) of section two of chapter one hundred and fifty A, and an employer or employers or association or group of employers to submit to arbitration any existing controversy or any controversy thereafter arising between parties to the agreement, including but not restricted to any controversy dealing with rates of pay, wages, hours or other terms and conditions of employment of any employee or employees, shall be valid, enforceable and irrevocable, except as otherwise provided by law or in equity for the revocation of any contract.

Section 2. (a) A party aggrieved by the failure or refusal of another to proceed to arbitration under an agreement described in section one may apply to the superior court for an order directing the parties to proceed to arbitration. The court shall order arbitration

unless (1) the opposing party denies the existence of the agreement to arbitrate; or (2) the claim sought to be arbitrated does not state a controversy covered by the provision for arbitration; provided, that an order for arbitration shall not be refused where a dispute concerning the interpretation or application of the arbitration provision is itself made subject to arbitration or on the ground that the claim in issue lacks merit or bona fides or because no fault or grounds for the claim have been shown. In either event the court shall proceed summarily to the determination of the issue so raised and shall, if it finds for the applicant, order arbitration; otherwise, the application shall be denied.

(b) Upon application, the superior court may stay an arbitration proceeding commenced or threatened if it finds (1) that there is no agreement to arbitrate, or (2) that the claim sought to be arbitrated does not state a controversy covered by the provision for arbitration and disputes concerning the interpretation or application of the arbitration provision are not themselves made subject to arbitration. Such an issue, when in substantial and bona fide dispute, shall be forthwith and summarily determined, and if the court finds for the applicant it shall order a stay of arbitration, otherwise the court shall order the parties to proceed to arbitration; provided that an order to stay arbitration shall not be granted on the ground that the claim in issue lacks merit or bona fides or because no fault or grounds for the claim sought to be arbitrated have been shown.

(c) If an issue referable to arbitration under the alleged agreement is involved in an action or proceeding pending in a court having jurisdiction to hear applications under paragraph (a) of this section, the application shall be made therein. Otherwise and subject to section fifteen, the application may be made in any court of competent jurisdiction.

(d) Any action or proceeding involving an issue subject to arbitration shall be stayed if an order for arbitration or an application therefor has been made under this section or, if the issue is severable, the stay may be with respect to such issue only. When the application is made in such action or proceeding, the order for arbitration shall include such stay.

Section 3. If the arbitration agreement provides a method for the appointment of arbitrators, such method shall be followed. In the absence thereof, or if the agreed method fails or for any reason cannot be followed, or if an arbitrator appointed fails or is unable to act and his successor has not been duly appointed, the superior court on application of a party shall appoint the arbitrator. The court shall submit to the parties a list of five persons experienced in labor arbitration from which each party may delete two names and the appointment shall be made from the name or names remaining. An arbitrator so appointed shall have all the powers of an arbitrator specifically named in the agreement.

Section 4. The powers of the arbitrators may be exercised by a majority thereof unless otherwise provided by the agreement or by this chapter.

Section 5. Unless otherwise provided by the agreement:—

(a) The arbitrators shall appoint a time and place for the hearing and cause written notice to the parties to be served personally or by registered mail not less than five days before the hearing. Appearance at the hearing shall constitute waiver of such notice. The arbitrators may adjourn the hearing from time to time and may conduct a hearing and make a ruling on the arbitrability of the controversy prior to receiving evidence on the merits. On request of a party and for good cause, or upon their own motion the arbitrators may postpone the hearing to a time not later than the date fixed by the agreement for making the award unless the parties consent to a later date. The arbitrators may hear and determine the controversy upon the evidence produced, notwithstanding the failure of a party duly notified to appear. The court upon application of either party may direct the arbitrators to proceed promptly with the hearing and determination of the controversy.

(b) The parties shall have the right to be heard, to present evidence material to the controversy and to cross-examine witnesses appearing at the hearing.

(c) The hearing shall be conducted by all the arbitrators, but a majority may determine any question and render a final award. If, during the course of the hearing, an arbitrator for any reason ceases to act, the remaining arbitrator or arbitrators appointed to act as neutrals may continue with the hearing and determination of the controversy.

Section 6. A party shall have the right to be represented by an attorney at any proceeding or hearing under this chapter, notwithstanding any waiver of such right prior to the proceeding or hearing.

Section 7. (a) The award shall be in writing and signed by the arbitrators concurring in the award. The arbitrators shall deliver a copy of the award to each party personally or by registered mail, or as provided in the agreement.

(b) An award shall be made within the time fixed by the agreement or, if said time is not so fixed, within such time as the court orders upon application of a party. The parties may by an agreement in writing extend the time either before or after the expiration thereof. A party shall be deemed to have waived the objection that an award was not made within the time required unless he notifies the arbitrators of his objection prior to the delivery of the award to him.

Section 8. Upon application of a party or, if an application to the court is pending under sections ten, eleven or twelve, on submission to the arbitrators by the court under such conditions as the court may order, the arbitrators may modify or correct the award upon the grounds stated in clauses (1) and (3) of paragraph (a) of section twelve, or may clarify or correct an award which is so indefinite or incomplete that it cannot be performed. The application shall be made within ten days after delivery of the award to the applicant. Written notice thereof shall be given forthwith to the opposing party, stating that he must serve his objections thereto, if any, within ten days from the notice. The award so modified or corrected shall be subject to the provisions of sections ten, eleven and twelve.

Section 9. Unless otherwise provided in the agreement to arbitrate, the arbitrator's expenses and fees, together with other expenses, except counsel fees, incurred in the conduct of the arbitration, shall be paid as provided in the award.

Section 10. Upon application of a party, the superior court shall confirm an award, unless within the time limits, hereinafter imposed grounds are urged for vacating, modifying or correcting the award, in which case the court shall proceed as provided in sections eleven and twelve.

Section 11. (a) Upon application of a party, the superior court shall vacate an award if:—

(1) the award was procured by corruption, fraud or other undue means;

(2) there was evident partiality by an arbitrator appointed as a neutral, or corruption in any of the arbitrators, or misconduct prejudicing the rights of any party;

(3) the arbitrators exceeded their powers or rendered an award requiring a person to commit an act or engage in conduct prohibited by state or federal law;

(4) the arbitrators refused to postpone the hearing upon a sufficient cause being shown therefor or refused to hear evidence material to the controversy or otherwise so conducted the hearing, contrary to the provisions of section five as to prejudice substantially the rights of a party;

(5) there was no arbitration agreement and the issue was not adversely determined in proceedings under section two and the party did not participate in the arbitration hearing without raising the objection; but the fact that the award orders reinstatement of an employee with or without back pay or grants relief such that it could not grant or would not be granted by a court of law or equity shall not be ground for vacating or refusing to confirm the award.

(b) An application under this section shall be made within thirty days after delivery of a copy of the award to the applicant, provided that, if such application is based upon a claim of corruption, fraud or other undue means it shall be made within thirty days after such grounds are known or should have been known.

(c) In vacating the award on grounds other than stated in clause (5) of paragraph (a) the court may order a rehearing before new arbitrators chosen as provided in the agreement, or in the absence thereof, by the court in accordance with section three, or if the award is vacated on grounds set forth in clause (3) or (4) of paragraph (a), the court may order a rehearing before the arbitrators who made the award or their successors appointed in accordance with section three. The time within which the agreement requires the award to be made shall be applicable to the rehearing and shall commence from the date of the order.

(d) If the application to vacate an award is denied and no motion to modify or correct the award is pending, the court shall confirm the award.

Section 12. (a) Upon application made within thirty days after

delivery of a copy of the award to the applicant, the superior court shall modify or correct the award if:—

(1) there was an evident miscalculation of figures or an evident mistake in the description of any person, thing or property referred to in the award;

(2) the arbitrators have awarded upon a matter not submitted to them and the award may be corrected without affecting the merits of the decision upon the issues submitted; or

(3) the award is imperfect in a matter of form, not affecting the merits of the controversy.

(b) If the application is granted, the court shall modify and correct the award so as to effect its intent and shall confirm the award as so modified and corrected; otherwise, it shall confirm the award as made.

(c) An application to modify or correct an award may be joined in the alternative with an application to vacate the award.

Section 13. Upon the granting of an order confirming, modifying or correcting an award, judgment or decree shall be entered in conformity therewith and shall be enforced as any other judgment or decree. Costs of the application and of the proceedings subsequent thereto, and disbursements in connection therewith may be awarded by the court.

Section 14. Except as otherwise provided, an application to the superior court under this chapter shall be heard upon fourteen days' notice in the manner provided by law or rule of court for the hearing of motions. Unless the parties have agreed otherwise, notice of an initial application for an order shall be served in the manner provided by law for the service of an original writ of summons.

Section 15. An initial application shall be made to the superior court for a county in which two or more employees covered by the agreement described in section one have their place of employment, or to the superior court for the county of Suffolk, but if so presented to the superior court for the county of Suffolk, that court may, on motion of any party in interest, order the case removed to the superior court for a county in which a substantial portion of the employees covered by the agreement have their place of employment. All subsequent applications shall be made to the court hearing the initial application unless the court otherwise directs.

Section 16. An appeal may be taken from (1) an order denying an application to compel arbitration made under paragraph (a) of section two; (2) an order granting an application to stay arbitration made under paragraph (b) of section two; (3) an order confirming or denying confirmation of an award; (4) an order modifying or correcting an award; (5) an order vacating an award without directing a rehearing; or (6) a judgment or decree entered pursuant to the provisions of this chapter.

Such appeal shall be taken in the manner and to the same extent as from orders or judgments in an action.

SECTION 2. If any provision of this act or the application thereof to any person or circumstances is held invalid, the invalidity shall not affect other provisions or applications of the act which can be given

without the invalid provision or application, and to this end the provisions of this act are severable.

SECTION 3. Section 11 of chapter 150 of the General Laws is hereby repealed.

SECTION 4. This act shall take effect on December thirty-first, nineteen hundred and fifty-nine and shall apply only to agreements made subsequent to said date.

Approved August 31, 1959.

Chap. 547. AN ACT PROVIDING FOR THE INSTALLATION OF AIR-CONDITIONING IN THE SUPERIOR COURT HOUSE BUILDING AT WORCESTER.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Worcester county are hereby authorized to expend a sum not exceeding two hundred and twenty-five thousand dollars for the installation of air conditioning in the superior court building in the city of Worcester. Said commissioners may make such alterations to said building and may construct such additions thereto as may be necessary for such installation.

SECTION 2. For the purpose of meeting the expenses authorized by section one, the county treasurer with the approval of the county commissioners may borrow upon the credit of the county a sum not exceeding two hundred and twenty-five thousand dollars and may issue bonds or notes of the county therefor which shall bear on their face the words, Worcester County Court House Air Conditioning Loan, Act of 1959, and such bonds or notes shall be payable in not more than five years from the date of issue. The bonds or notes shall be signed by the county treasurer and countersigned by a majority of the county commissioners. The county may sell said securities at public or private sale, upon such terms and conditions as the county commissioners may deem proper, but not for less than par value. Indebtedness incurred under this act shall, except as herein provided, be subject to chapter thirty-five of the general laws.

Approved August 31, 1959.

Chap. 548. AN ACT PROVIDING THAT STATE EMPLOYEES GRANTED LEAVES OF ABSENCE TO WORK IN THE UNITED STATES DEPARTMENT OF STATE BE ALLOWED TO COUNT SUCH PERIODS AS CREDITABLE SERVICE FOR RETIREMENT PURPOSES, AND PRESERVING CERTAIN OTHER RIGHTS OF SUCH EMPLOYEES.

Be it enacted, etc., as follows:

SECTION 1. Subdivision (1) of section 4 of chapter 32 of the General Laws is hereby amended by inserting after paragraph (j), added by section 2 of chapter 538 of the acts of 1946, the following paragraph:—

(k) Any member whose services have been requested of the governor by the United States Department of State and who was granted a leave of absence to perform such services shall receive full credit for retirement purposes, for the period of such service, provided that he

pays into the annuity savings fund of the state employees' retirement system the amount that would have been withheld as regular deductions from his salary had he not been granted such leave.

SECTION 2. Any employee granted a leave of absence under the provisions of paragraph (k) of subdivision (1) of section four of chapter thirty-two of the General Laws, inserted by section one of this act shall not during such leave lose any seniority rights, rights to receive salary increments, or any other rights of an employee of the commonwealth.

SECTION 3. The provisions of paragraph (k) of subdivision (1) of section four of chapter thirty-two of the General Laws, inserted by section one of this act, shall be applicable to any person whose services were requested of the governor of the commonwealth by the United States Department of State and who was granted a leave of absence to perform such service on or after July first, nineteen hundred and fifty-two, and the provisions of section two of this act shall also be applicable to any such person.

Approved August 31, 1959.

Chap. 549. AN ACT AUTHORIZING AND DIRECTING THE METROPOLITAN DISTRICT COMMISSION TO CONSTRUCT, ENLARGE AND IMPROVE ITS RECREATIONAL FACILITIES.

Be it enacted, etc., as follows:

SECTION 1. The metropolitan district commission is hereby authorized and directed to construct recreational facilities within the metropolitan parks district, and to enlarge and improve existing facilities, in such manner and at such locations as it may determine, and in a manner designed to serve all parts of the metropolitan parks district equally in proportion to the need; provided, that projects constructed as herein authorized shall not be subject to section thirty A of chapter seven of the General Laws.

SECTION 2. The metropolitan district commission shall charge reasonable fees wherever feasible to cover costs of operation and maintenance of its facilities and may enter into leases or other agreements relating to the operation of its facilities with public or other bodies or individuals, upon such terms and conditions as it may deem just and expedient. The terms of such leases or agreements may include the right to charge fees as herein authorized, and full and complete information regarding any and all such leases and agreements and the operations resulting therefrom shall be a matter of public record and shall, at all times, be available upon reasonable request.

SECTION 3. The metropolitan district commission, acting so far as may be in consultation with the proper local boards, may, on behalf of the commonwealth, take by eminent domain under chapter seventy-nine of the General Laws, in fee or otherwise, or acquire by purchase, gift or devise, such public or private lands, water rights, rights of way, easements or other interests in land as it may deem necessary or desirable for carrying out the provisions of this act; provided, that nothing in this act shall be construed to limit existing rights of any city or town in relation to water supply purposes, or in any way obstruct such rights.

SECTION 4. To meet the expenditures necessary in carrying out the construction and improvements authorized in section one of this act, the state treasurer shall, upon request of the governor and council, issue and sell at public or private sale bonds of the commonwealth, registered or with interest coupons attached, as he may deem best, to an amount to be specified by the governor and council from time to time, but not exceeding in the aggregate the sum of five million dollars. All bonds issued by the commonwealth as aforesaid shall be designated on their face, Metropolitan District Commission Recreational Loan, Act of 1959, and shall be on the serial payment plan for such maximum term of years, not exceeding twenty years, as the governor may recommend to the general court pursuant to section 3 of Article LXII of the amendments to the constitution of the commonwealth, the maturities thereof to be so arranged that the amounts payable in the several years of the period of amortization other than the final year shall be as nearly equal as in the opinion of the state treasurer it is practicable to make them. Said bonds shall bear interest semi-annually at such rate as the state treasurer, with the approval of the governor, shall fix. The initial maturities of such bonds shall be payable not later than one year from the date of issue thereof, and the entire issue not later than June thirtieth, nineteen hundred and eighty. All interest payments and payments on account of principal on such obligations shall be paid from the metropolitan district commission park funds, to be assessed by methods fixed by law.

SECTION 5. This act shall take effect upon its passage.

Approved September 3, 1959.

Chap. 550. AN ACT AUTHORIZING THE TOWN OF HAMILTON TO TAKE CERTAIN LAND AND BUILDINGS THEREON IN SAID TOWN BY EMINENT DOMAIN FOR ANY PUBLIC PURPOSE INCLUDING THE CONSTRUCTION AND MAINTENANCE THEREON OF A PUBLIC WAITING ROOM AND RELATED FACILITIES.

Be it enacted, etc., as follows:

SECTION 1. The town of Hamilton is hereby authorized to take by eminent domain the following described land and buildings for any public purpose including the construction and maintenance thereon of a public waiting room and related facilities:—the land with buildings thereon on the easterly side of Bay road in the South Hamilton Depot Square, containing fourteen thousand nine hundred square feet, more or less, owned formerly by the Boston and Maine Railroad, and presently by Fairfield Estates Trust, as shown on a plan entitled "Land in Hamilton, Massachusetts, Boston and Maine Railroad to Henry F. Larchez, Tr.," by J. F. Kerwin, Engineer, which plan is on file with the town clerk.

Notwithstanding any provisions of law to the contrary, said town of Hamilton may construct and maintain on said land such structures as may be necessary for the aforesaid purposes and may at any town meeting appropriate money therefor.

SECTION 2. This act shall take effect upon its passage.

Approved September 3, 1959.

Chap. 551. AN ACT INCREASING THE MINIMUM FAIR WAGE RATE.

Be it enacted, etc., as follows:

SECTION 1. Section 7 of chapter 151 of the General Laws is hereby amended by striking out the second paragraph, as most recently amended by section 1 of chapter 616 of the acts of 1958, and inserting in place thereof the following paragraph:—

No wage board, however, can recommend minimum fair wage rates below one dollar per hour, except for learners and apprentices, and except for service people who regularly receive gratuities and whose minimum fair wage rates shall not be below seventy cents per hour, and except for janitors and caretakers of residential property, who, when furnished with living quarters, shall be paid a wage of not less than thirty dollars per week, and except for services as golf caddies.

SECTION 2. Existing minimum wage orders which have been promulgated under the provisions of chapter one hundred and fifty-one and which, on the effective date of this act, contain minimum wage requirements less than those provided herein shall on the effective date of this act automatically advance to the minimums set forth herein and the commissioner of labor and industries shall issue a mandatory order to that effect prior to said date.

Approved September 3, 1959.

Chap. 552. AN ACT PROVIDING THAT A CERTAIN PORTION OF A DIVIDEND OR RATE REDUCTION UNDER A GROUP INSURANCE POLICY SHALL BE APPLIED FOR THE SOLE BENEFIT OF CERTAIN INSURED EMPLOYEES.

Be it enacted, etc., as follows:

Chapter 149 of the General Laws is hereby amended by inserting after section 178D the following section:—*Section 178E.* If a dividend is declared or a reduction in rate is made under any group insurance policy, the excess, if any, of the aggregate dividends or rate reductions under such policy and all other group insurance policies of the policyholder over the aggregate expenditure for insurance under such policies made from funds contributed by the policyholder, or by an employer of insured persons, or by a union or association to which insured persons belong, including expenditures made in connection with administration of such policies, shall be applied by the policyholder for the sole benefit of insured employees or members.

Approved September 3, 1959.

Chap. 553. AN ACT ABOLISHING THE ELECTION OF MEMBERS AT LARGE OF THE STATE COMMITTEE OF A POLITICAL PARTY AT THE CONVENTION THEREOF.

Be it enacted, etc., as follows:

The first sentence of section 54 of chapter 53 of the General Laws, as appearing in chapter 230 of the acts of 1958, is hereby amended by striking out, in lines 5, 6 and 7, the words “, electing such number of members at large of the state committee as may be fixed by the con-

vention,"—so as to read as follows:—The chairman of the state committee of a political party shall issue a call on or before the first Wednesday in May to hold a state convention, to be held not earlier than June fifth and not later than June twentieth, in a year in which a biennial state election is held, for the purpose of adopting a platform and endorsing for nomination candidates for offices to be filled by all the voters of the commonwealth, to be voted for at the ensuing state primary, and for such other purposes consistent with law as the convention may determine.

Approved September 3, 1959.

Chap. 554. AN ACT EXTENDING THE BENEFITS OF THE EMPLOYMENT SECURITY LAW TO CERTAIN PERSONS WHO BECOME INVOLUNTARILY UNEMPLOYED DURING THE PERIOD OF NEGOTIATION OF A LABOR CONTRACT.

Be it enacted, etc., as follows:

Section 25 of chapter 151A of the General Laws is hereby amended by striking out subsection (b), as amended by chapter 464 of the acts of 1953, and inserting in place thereof the following subsection:—

(b) Any week with respect to which the director finds that his unemployment is due to a stoppage of work which exists because of a labor dispute at the factory, establishment or other premises at which he was last employed; provided, however, that nothing in this subsection shall be construed so as to deny benefits to any individual who becomes involuntarily unemployed during the period of the negotiation of a collective bargaining contract, in which case the individual, if otherwise eligible, shall receive benefits for the period of his unemployment but in no event beyond the date of the commencement of a strike or lockout; and provided, further, that this subsection shall not apply if it is shown to the satisfaction of the director that—

(1) He is not participating in or financing or directly interested in the labor dispute which caused the stoppage of work; and that

(2) He does not belong to a grade or class of workers of which, immediately before the commencement of the stoppage, there were members employed at the premises at which the stoppage occurs, any of whom are participating in or financing or directly interested in the dispute; provided, that if, in any case, separate branches of work which are commonly conducted as separate businesses in separate premises are conducted in separate departments of the same premises, each such department may, for the purposes of this subsection, be deemed a separate factory, establishment or other premises.

(3) For the purposes of this chapter, the payment of regular union dues or assessments shall not be construed as participating in or financing or being directly interested in a labor dispute.

(4) The individual has, subsequent to his unemployment because of a labor dispute, obtained employment, and has been paid wages of not less than five hundred dollars; provided, however, that during the existence of such labor dispute the wages of such individual used for the determination of his benefit rights shall not include any wages such individual earned from the employer involved in such labor dispute.

Approved September 3, 1959.

Chap. 555. AN ACT TO PROVIDE FOR WORKMEN'S COMPENSATION BENEFITS TO EMPLOYEES OF REGIONAL SCHOOL DISTRICTS.

Be it enacted, etc., as follows:

Chapter 152 of the General Laws is hereby amended by striking out section 69, as most recently amended by section 2 of chapter 610 of the acts of 1951, and inserting in place thereof the following section:—

Section 69. The commonwealth and any county, city, town or district having the power of taxation which has accepted chapter eight hundred and seven of the acts of nineteen hundred and thirteen, and any town or district having the power of taxation which accepts the provisions of this section at an annual meeting or at any special meeting called for the purpose, and any county tuberculosis hospital district under sections seventy-eight to ninety, inclusive, of chapter one hundred and eleven, if the trustees of said district accept the provisions of this section and any regional school district which accepts this section by vote of its regional district school committee, shall pay to laborers, workmen and mechanics employed by it who receive injuries arising out of and in the course of their employment, or, in case of death resulting from such injury, to the persons entitled thereto, the compensation provided by this chapter. Compensation payable under this chapter to an injured employee of the commonwealth or of any such county, city, town or district who receives full maintenance in addition to his cash salary or wage, and compensation payable thereunder to his dependents in case of his death, shall be based upon his average weekly wages plus the sum of thirteen dollars and fifty cents a week in lieu of the full maintenance received by him; provided, that, in the discretion of the superintendent or other person in charge or control of any institution where such an employee is employed, such maintenance, computed at the rate per week hereinbefore set forth, may be continued during total incapacity, in which event such weekly compensation shall be based solely upon the cash salary or wages of such employee. No cash salary or wages shall be paid by the commonwealth or any such county, city, town or district to any person for any period for which weekly total incapacity compensation under this chapter is payable, except that such salary or wages may be paid in full until any overtime or vacation which the said employee has to his credit has been used, without deduction of any compensation herein provided for which may be due or become due the said employee during the period in which said employee may be totally incapacitated, and except that such salary or wages may be paid in part until any sick leave allowance which the employee has to his credit has been used, any other provisions of law notwithstanding. An employee who is entitled to any sick leave allowance may take such of his sick leave allowance payment as, when added to the amount of any disability compensation herein provided, will result in the payment to him of his full salary or wages. Sections seventy to seventy-five, inclusive, shall apply to the commonwealth and to any county, city, town or district having the power of taxation which has accepted said chapter eight hundred and seven, and to any town or district having the power of taxation which accepts the provisions of this section as hereinbefore provided, and to any county tuberculosis hospital district

under said sections seventy-eight to ninety, inclusive, if the trustees of said district accept the provisions of this section. The terms laborers, workmen and mechanics, as used in sections sixty-eight to seventy-five, inclusive, shall include all employees of any such city or town, except members of a police or fire force, who are engaged in work being done under a contract with the state department of public works, and shall include other employees except members of a police or fire force, regardless of the nature of their work, of the commonwealth or of any such county, city, town, district, county tuberculosis hospital district, or regional school district to such extent as the commonwealth or such county, city, town, district, county tuberculosis hospital district or regional school district, acting respectively through the governor and council, county commissioners, city council, the qualified voters in a town or district meeting, the trustees of such county tuberculosis hospital district, or the regional district school committee, shall determine, as evidenced by a writing filed with the department.

Any county, city, town or district which accepts this section may provide for payment of compensation of certain or all of its employees by insurance with an insurer, subject, however, to the provisions and limitations of this section.

Approved September 3, 1959.

Chap. 556. AN ACT AMENDING THE TAX LAWS OF THE COMMONWEALTH RELATIVE TO CERTAIN DIVIDENDS AND EXCHANGES OF STOCK TO CONFORM WITH THE FEDERAL INTERNAL REVENUE CODE.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 62 of the General Laws is hereby amended by striking out subsection (b), as most recently amended by section 1 of chapter 445 of the acts of 1957, and inserting in place thereof the following subsection:—(b) Dividends on shares in all corporations other than:—

(1) Dividends on shares of co-operative banks and credit unions chartered by the commonwealth, savings and loan associations under the supervision of the commissioner of banks, and federal savings and loan associations located in the commonwealth; (2) stock dividends paid in stock of the corporation issuing the same, and (3) dividends paid in the stock of another corporation, partnership, association or trust, the beneficial interest in which is represented by transferable shares, which are not required to be included in taxable income of the shareholder under the applicable provisions of the federal internal revenue code of nineteen hundred and fifty-four.

SECTION 2. Subsection (c) of section 5 of said chapter 62, as most recently amended by section 1 of chapter 540 of the acts of 1957, is hereby further amended by striking out the last sentence,—and by adding at the end of said subsection (c) the following paragraph:—

No gain or loss shall be recognized upon the transfer by an inhabitant of property to a corporation solely in exchange for stock or securities of such corporation or upon the exchange by an inhabitant of stock or securities in a corporation for stock or securities in the same or another corporation in the event that no gain or loss is recog-

nizable upon such exchange under the applicable provisions of the federal internal revenue code of nineteen hundred and fifty-four. If, in connection with any such exchange, an inhabitant receives not only stock or securities permitted to be received without the recognition of gain or loss, but also other property or money, the gain, if any, shall be recognized but in an amount not in excess of the sum of such money and the fair market value of such other property, but no loss shall be recognized. For the purpose of the two preceding sentences, the term "corporation" shall be deemed to include a partnership, association or trust, the beneficial interest in which is represented by transferable shares.

SECTION 3. The first paragraph of section 7 of said chapter 62, as amended by section 1 of chapter 576 of the acts of 1958, is hereby further amended by striking out clause (j) and inserting in place thereof the following clause:—

(j) the basis of property permitted to be received without the recognition of gain or loss, as provided in the second paragraph of subsection (c) of section five, shall be the basis of the property exchanged therefor, decreased by the amount of any money and by the fair market value of any other property received by the taxpayer and increased by the amount of the gain, if any, which was recognized on such exchange, provided, however that the basis of such other property, except money, received by the taxpayer, shall be its fair market value; .

SECTION 4. This act shall take effect with respect to taxable years commencing after December thirty-first, nineteen hundred and fifty-eight.

Approved September 3, 1959.

Chap. 557. AN ACT INCREASING THE NUMBER OF ASSISTANT CLERKS OF THE COURTS FOR THE COUNTY OF MIDDLESEX.

Be it enacted, etc., as follows:

Section 5 of chapter 221 of the General Laws is hereby amended by striking out the fifth paragraph, as amended by chapter 228 of the acts of 1951, and inserting in place thereof the following paragraph:—

Middlesex, subject to approval of a justice of the supreme judicial or superior court, not more than eight assistant clerks.

Approved September 3, 1959.

Chap. 558. AN ACT MAKING APPROPRIATIONS TO SUPPLEMENT CERTAIN ITEMS IN THE COUNTY TUBERCULOSIS HOSPITAL APPROPRIATION ACT.

Whereas, The deferred operation of this act would tend to defeat its purpose which is to provide forthwith for supplementing certain appropriations previously made for the fiscal year nineteen hundred and fifty-nine, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

To provide for supplementing certain items in the annual county tuberculosis hospital appropriation act, the following sums are hereby

appropriated subject to the provisions of law regulating the disbursement of hospital funds and the approval thereof, for the year nineteen hundred and fifty-nine.

BRISTOL COUNTY.

^{Item}		
1.	For personal services	\$1,410.50
	For total expenditures	\$1,410.50

ESSEX COUNTY.

1.	For personal services	\$351.00
	For total expenditures	\$351.00

WORCESTER COUNTY.

1.	For personal services	\$312.00
	For total expenditures	\$312.00

Approved September 8, 1959.

Chap. 559. AN ACT PROVIDING FOR A FIRST ASSISTANT CLERK IN THE MUNICIPAL COURT OF BROOKLINE, WHOSE SALARY SHALL BE PAYABLE BY THE COUNTY.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 10 of chapter 218 of the General Laws is hereby amended by inserting after the word "Chicopee", in line 12, as appearing in chapter 443 of the acts of 1949, the words:—, the municipal court of Brookline.

SECTION 2. The assistant clerk of the municipal court of Brookline first appointed under the provisions of section ten of chapter two hundred and eighteen of the General Laws, as amended by section one of this act, shall be selected from among persons then employed in the office of the clerk of said court, and such appointee shall not, as a result of said appointment, suffer a reduction in salary.

Approved September 8, 1959.

Chap. 560. AN ACT DESIGNATING THE JUNCTION OF MAIN STREET AND CROSS STREET IN THE TOWN OF LEICESTER AS THE CHESTER ST. MARTIN MEMORIAL SQUARE.

Be it enacted, etc., as follows:

SECTION 1. The junction of Main street and Cross street in the town of Leicester shall be known and designated as the Chester St. Martin Memorial Square. Said town is hereby authorized to erect and maintain a suitable tablet or marker bearing said designation; provided, however, that said tablet or marker shall be subject to the approval of the state department of public works.

SECTION 2. This act shall take effect upon its passage.

Approved September 8, 1959.

Chap. 561. AN ACT AUTHORIZING AND DIRECTING THE METROPOLITAN DISTRICT COMMISSION TO EXTEND CERTAIN STREETS AND TO CONSTRUCT A CERTAIN TRAFFIC UNDERPASS IN THE FOREST HILLS SECTION OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

The metropolitan district commission is hereby authorized and directed to extend St. Ann street, in the Forest Hills section of the city of Boston, across Asticou road; to construct a traffic underpass beneath the railroad tracks of the Needham branch of the New York, New Haven and Hartford Railroad to Washington street in said section; and to extend Bussey street in said section to the St. Ann street extension. For such purposes said commission may expend such sums as may be appropriated therefor. *Approved September 8, 1959.*

Chap. 562. AN ACT EXTENDING THE TERM FOR WHICH THE INCUMBENT OF THE OFFICE OF REGISTRAR OF MOTOR VEHICLES WAS APPOINTED.

Be it enacted, etc., as follows:

Notwithstanding any provision of law to the contrary, the term of office of the incumbent, on the date of the passage of this act, of the office of registrar of motor vehicles shall be five years from the date on which he was appointed. *Approved September 8, 1959.*

Chap. 563. AN ACT RELATIVE TO THE HEIGHT OF BUILDINGS IN THE CITY OF NEWTON.

Be it enacted, etc., as follows:

Section 2 of chapter 143 of the General Laws, as amended by chapter 125 of the acts of 1949, is hereby further amended by striking out, in line 10, the word "Boston" and inserting in place thereof the words:—the cities of Boston and Newton,—so as to read as follows:—*Section 2.* In a city no building shall be erected to a height of more than one hundred and twenty-five feet above the grade of the street; but this restriction shall not apply to grain or coal elevators, power plants or sugar refineries, nor to steeples, domes, towers or cupolas erected for strictly ornamental purposes, of fireproof material, on buildings of the above height or less. The supreme judicial or superior court may enforce this section and restrain any violation thereof. This section shall not apply to the cities of Boston and Newton.

Approved September 8, 1959.

Chap. 564. AN ACT AUTHORIZING AND DIRECTING THE METROPOLITAN DISTRICT COMMISSION TO ACQUIRE CERTAIN LAND IN THE CITY OF BOSTON FOR RECREATIONAL PURPOSES.

Be it enacted, etc., as follows:

The metropolitan district commission is hereby authorized and directed to take by eminent domain or acquire by purchase, gift or other-

wise, certain land in the city of Boston owned by Harvard University in the vicinity of the Arnold Arboretum, which land is bounded by South street and by Bussey street and is adjacent to the railroad tracks of the New York, New Haven and Hartford Railroad and to construct and maintain thereon a recreation area with suitable structures and facilities therefor. For the purposes of this act said commission may expend such sums as may be appropriated.

Approved September 8, 1959.

Chap. 565. AN ACT AUTHORIZING THE CITY OF LEOMINSTER TO PAY JOHN F. KELLEY THE AMOUNT OF MONEY WITHHELD FROM HIS WAGES FOR THE PERIOD DURING WHICH HE WAS SUSPENDED FROM HIS EMPLOYMENT.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of promoting the public good the city of Leominster is hereby authorized to appropriate and pay to John F. Kelley, an employee of the streets and sewer department of said city, the sum of forty-eight dollars and twenty-six cents, being the amount withheld from his wages for the period commencing February third, nineteen hundred and fifty-five, during which he was suspended from his employment.

SECTION 2. This act shall take effect upon its acceptance by the city council of said city, subject to the provisions of its charter, but not otherwise.

Approved September 8, 1959.

Chap. 566. AN ACT ESTABLISHING FORTY-FIVE DOLLARS AS MAXIMUM WEEKLY BENEFITS UNDER THE WORKMEN'S COMPENSATION ACT.

Be it enacted, etc., as follows:

SECTION 1. Chapter 152 of the General Laws is hereby amended by striking out section 34, as most recently amended by section 1 of chapter 665 of the acts of 1958, and inserting in place thereof the following section:—*Section 34.* While the incapacity for work resulting from the injury is total, the insurer shall pay the injured employee a weekly compensation equal to two thirds of his average weekly wages, but not more than forty-five dollars nor less than twenty dollars a week, unless the weekly wages of the injured employees are less than twenty dollars, in which case said weekly compensation shall be equal to his average weekly wages, but not less than ten dollars where the number of normal working hours of the injured employee in a week are fifteen or more; provided, that the amount does not exceed fourteen thousand dollars, except that if the injured employee has received compensation for the same injury under section thirty-five the combined amount of compensation payable under this section and section thirty-five shall not exceed the maximum amount as set forth in section thirty-five.

SECTION 2. Section 34A of said chapter 152 is hereby amended by striking out the first sentence, as most recently amended by section 2 of chapter 665 of the acts of 1958, and inserting in place thereof the

following sentence:—While the incapacity for work resulting from the injury is both permanent and total, the insurer shall pay to the injured employee, following payment of the maximum amount of compensation provided in sections thirty-four and thirty-five, or either of them, a weekly compensation equal to two thirds of the average weekly wage but not more than forty-five dollars per week and not less than twenty dollars a week during the continuance of such permanent and total incapacity.

SECTION 3. Said chapter 152 is hereby further amended by striking out section 35, as most recently amended by section 3 of chapter 665 of the acts of 1958, and inserting in place thereof the following section:—*Section 35.* While the incapacity for work resulting from the injury is partial, the insurer shall pay the injured employee a weekly compensation equal to the entire difference between his average weekly wage before the injury and the average weekly wage he is able to earn thereafter, but not more than forty-five dollars a week; and the amount of such compensation shall not be more than fifteen thousand dollars, nor shall the combined amount of compensation payable under this section and section thirty-four be more than fifteen thousand dollars.

SECTION 4. Section 35A of said chapter 152, as most recently amended by chapter 641 of the acts of 1957, is hereby further amended by striking out, in line 3 and in line 34, the word “four” and inserting in place thereof, in each instance, the word:—six.

Approved September 8, 1959.

Chap. 567. AN ACT RELATIVE TO WITNESS FEES FOR STATE POLICE OFFICERS ATTENDING COURT AS WITNESSES IN CERTAIN CASES.

Be it enacted, etc., as follows:

Chapter 262 of the General Laws is hereby amended by striking out section 53B, as most recently amended by chapter 605 of the acts of 1957, and inserting in place thereof the following section:—*Section 53B.* Any officer of the division of state police in the department of public safety, appointed under section six or nine A of chapter twenty-two, on duty at night, or on vacation or furlough, or on a day off, who attends as a witness in a civil or criminal case pending in a district court or in the superior court shall be allowed a witness fee in the amount of three dollars for each day's attendance, including his first day's attendance as arresting officer. Any such officer who attends court held at a place other than his residence or regularly assigned station or office in a criminal case pending in any court of the commonwealth shall be paid at the rate of five cents a mile for travel out and home for each day's attendance, except that travel allowance shall not be allowed when such travel is made in state-owned vehicles. Each officer shall certify in writing under the penalties of perjury the amount of his travel and attendance. Such payments shall be in addition to his other expenses necessarily and actually incurred as provided for in section fifty and shall be paid in the same manner.

Approved September 8, 1959.

Chap. 568. AN ACT INCREASING THE SALARY OF THE JUSTICE OF THE DISTRICT COURT OF NEWTON AND PROVIDING THAT HE SHALL DEVOTE FULL TIME TO HIS JUDICIAL DUTIES.

Be it enacted, etc., as follows:

SECTION 1. Section 77A of chapter 218 of the General Laws, as most recently amended by section 1 of chapter 675 of the acts of 1958, is hereby further amended by inserting after line 22, reading "first district court of northern Middlesex," the following line:—district court of Newton, .

SECTION 2. Section 78 of chapter 218 of the General Laws, as most recently amended by section 2 of chapter 675 of the acts of 1958, is hereby further amended by striking out the first sentence.

SECTION 3. This act shall take effect on January first, nineteen hundred and sixty.

Approved September 9, 1959.

Chap. 569. AN ACT RELATIVE TO THE NOTICE TO BE GIVEN CIVIL SERVICE EMPLOYEES BEFORE ANY ACTION AFFECTING THEIR REMOVAL, SUSPENSION OR THE IMPOSITION OF PUNISHMENT DUTY IS TAKEN BY THE APPOINTING AUTHORITY.

Be it enacted, etc., as follows:

SECTION 1. Section 43 of chapter 31 of the General Laws is hereby amended by striking out paragraph (a), as most recently amended by chapter 432 of the acts of 1957, and inserting in place thereof the following paragraph:—

(a) Every person holding office or employment under permanent appointment in the official or labor service of the commonwealth, or of any county, city or town thereof, shall have unlimited tenure of office or employment, subject to the provisions of this chapter and the rules made thereunder. He shall not be discharged, removed, suspended for a period exceeding five days, laid off, transferred from such office or employment without his consent, lowered in rank or compensation, nor shall his office or position be abolished, except for just cause and for reasons specifically given him in writing. Before any action affecting employment or compensation referred to in the preceding sentence is taken, the officer or employee shall be given a written statement of the specific reason or reasons for the contemplated action, together with a copy of sections forty-three, forty-five and forty-six A, and shall be given a full hearing before the appointing authority on the specific reason or reasons given, of which hearing he shall have at least three days' written notice from the appointing authority, except in cases of separation from service in the official or labor service, resulting from lack of work or lack of money or from abolition of positions, in which case at least seven days' written notice of hearing shall be given by the appointing authority. Within two days after completion of said hearing, the appointing authority shall give to the employee affected a written notice of his decision, stating fully and specifically the reasons therefor.

SECTION 2. Said section 43 of said chapter 31 is hereby further

amended by striking out paragraph (c), as most recently amended by section 1 of chapter 629 of the acts of 1956, and inserting in place thereof the following paragraph:—

(c) A suspension for a period not exceeding five days may be made only by the appointing authority or by a subordinate to whom authority to make such suspensions has been delegated, or by a chief of police, or officer performing similar duties, however entitled, or by a subordinate to whom such authority has been delegated by him, and shall be made only for just cause. The officer or employee suspended shall be reinstated at the expiration of the period of such suspension, but shall not be entitled to compensation for such period unless, as hereinafter provided, the suspension is found after hearing or upon appeal to have been without just cause. Within twenty-four hours after his suspension, such officer or employee shall be given a copy of sections forty-three, forty-five, and forty-six A, together with a written notice stating the specific reason for the suspension and informing him that he may, within forty-eight hours of his receipt of such notice, request in writing a hearing by the appointing authority on the question of whether there was just cause for the suspension and if he so requests he shall be given a hearing within five days of the receipt of such request by the appointing authority. A copy of the notice of suspension to the officer or employee shall be forwarded forthwith to the director of civil service, together with a request for the approval of reinstatement of the officer or employee to be effective at the expiration of the period of suspension. Whenever such hearing is given, the appointing authority shall give the officer or employee suspended a written notice of his decision within two days after the hearing. An officer or employee whose suspension under this paragraph is decided, after hearing, to have been without just cause shall be deemed not to have been suspended and he shall be entitled to compensation for the period for which he was suspended, and if it is decided, after hearing, that there was just cause for such suspension such officer or employee may appeal to the commission as provided in paragraph (b) and he shall be entitled to judicial review of the action taken by the commission as provided in paragraph (d). The provisions of paragraph (c) shall apply to all hearings under this paragraph. In the computation of any period of time limited by this section, Saturdays, Sundays and holidays shall be excluded. No officer or employee shall be subsequently discharged, removed, suspended for a period exceeding five days, laid off, transferred from his office or employment without his consent or lowered in rank or compensation, nor shall his office or position be abolished, for the same specific reason or reasons for which he was originally temporarily suspended for a period not exceeding five days under this paragraph except in accordance with paragraph (a). Notice of any action taken by the appointing authority under this paragraph shall be forwarded forthwith to the director of civil service.

SECTION 3. Said section 43 of said chapter 31 is hereby further amended by striking out paragraph (g), inserted by section 2 of said chapter 629 of the acts of 1956, and inserting in place thereof the following paragraph:—

(g) Punishment duty shall not be imposed without just cause upon any police officer subject to this chapter. A police officer upon whom punishment duty is imposed shall within twenty-four hours of the imposition of such punishment duty, be given a copy of this section and of section forty-five, together with a written notice stating the specific reason for the imposition of such punishment duty and the duration thereof and informing him that he may, within forty-eight hours of receipt of such notice, request in writing a hearing by the appointing authority, and if he so requests he shall be given a hearing within five days of receipt of such request by the appointing authority. A copy of the notice of imposition of punishment duty shall be forwarded forthwith to the director of civil service. Whenever such hearing is given, the appointing authority shall give the police officer upon whom the punishment duty is imposed a written notice of his finding within two days after the hearing. If, after such hearing, the appointing authority finds no just cause exists for the imposition of punishment duty, such punishment duty shall be deemed not to have been imposed; if, after such hearing, the appointing authority finds that just cause does exist for the imposition of punishment duty, the police officer upon whom the punishment duty is imposed may appeal to the commission as provided in paragraph (b), and he or the appointing authority shall be entitled to judicial review of the action taken by the commission as provided in paragraph (d). The provisions of paragraph (c) shall apply to all hearings under this paragraph. In the computation of any period of time limited by this section, Saturdays, Sundays and holidays shall be excluded. Notice of any action taken by the appointing authority under this paragraph shall be forwarded forthwith to the director of civil service.

SECTION 4. Said section 43 of said chapter 31 is hereby further amended by striking out paragraph (h), inserted by chapter 569 of the acts of 1957, and inserting in place thereof the following paragraph:—

(h) Any person holding office or employment under permanent appointment in the official or labor services of the commonwealth, or any county, city, town or district thereof, who has incurred expense in defending himself against an unwarranted discharge, removal, suspension, laying off, transfer, lowering in rank or compensation, or abolition of his position, shall be reimbursed for such expense; provided, however, that the amount of such reimbursement shall in no event exceed ten per cent of the amount of the usual compensation of such person for the period during which such discharge, removal, suspension, laying off, transfer, lowering in rank or compensation, or abolition of his position was in effect; and provided, further, that such person makes written application to his appointing authority for such reimbursement, and shall be reimbursed from the same source from which his salary is paid.

SECTION 5. Said chapter 31 is hereby further amended by striking out section 46A, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:—*Section 46A.* The supreme judicial court shall have jurisdiction of any petition for a writ of mandamus for the reinstatement of any person alleged to have been illegally discharged, removed, suspended, laid off, transferred,

lowered in rank or compensation, or whose office or position is alleged to have been illegally abolished under this chapter; provided, that such petition shall be filed in said court within six months next following such allegedly illegal discharge, removal, suspension, laying off, transfer, lowering in rank or compensation, or abolition of his position, unless said court for cause shown extends the time.

If any person alleges that his employment or compensation has been affected by action of the appointing authority in failing to follow the requirements of section forty-three, he may file a complaint with the civil service commission within seven days, exclusive of Saturdays, Sundays and holidays, after the said action has been taken. Said complaint shall set forth just how the appointing authority has failed to follow the requirements of section forty-three. This complaint may be filed with the request of the said person for a hearing under the provisions of said section forty-three and if it is determined by the civil service commission that the said authority has failed to follow the requirements of section forty-three and that the rights of said person have been prejudiced thereby, the said commission may order the said appointing authority to restore immediately said person to his employment without loss of compensation or other rights.

Approved September 9, 1959.

Chap. 570. AN ACT RELATIVE TO THE SALARY OF THE COMMISSIONER OF PUBLIC HEALTH.

Be it enacted, etc., as follows:

SECTION 1. Section 2 of chapter 17 of the General Laws is hereby amended by striking out the third sentence, as amended by section 24 of chapter 730 of the acts of 1955, and inserting in place thereof the following sentence:—The commissioner shall receive a salary of sixteen thousand dollars.

SECTION 2. This act shall take effect as of July first, nineteen hundred and fifty-nine.

Approved September 9, 1959.

Chap. 571. AN ACT TO ESTABLISH A FLAT FEE FOR THE REGISTRATION OF CERTAIN PASSENGER MOTOR VEHICLES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to enable the registry of motor vehicles to process forthwith applications for registration of motor vehicles for the year nineteen hundred and sixty and to charge the fees set forth in the act for such registration, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

Be it enacted, etc., as follows:

SECTION 1. Chapter 90 of the General Laws is hereby amended by striking out section 33, as most recently amended by chapter 414 of the acts of the current year, and inserting in place thereof the follow-

ing section:—*Section 33.* The registrar or his authorized agents shall collect fees as follows:—

For the registration of every motor vehicle, the fee for which is not herein otherwise provided, six dollars.

For the registration of every ambulance owned and operated by any hospital or other institution or association supported wholly or in part by public or private donations for charitable purposes, and every motor vehicle or trailer used by the fire or police department of any city or town or park board solely for the official business of such department or board, and every motor vehicle or trailer used by a volunteer fire company, as authorized under chapter forty-eight, in any town solely for fire fighting purposes, no fee shall be collected hereunder.

For the registration of every automobile and trailer owned by any political subdivision of the commonwealth, and used solely for official business, not exempt from the payment of fees as hereinbefore provided, three dollars.

For the registration of every motor bus not owned as provided in the preceding paragraph which is used exclusively under contract with a political subdivision or school district of the commonwealth for the transportation of school children, three dollars; provided, that any such motor bus may also be used for the transportation of persons to and from church and Sunday school services, and for the transportation of children to and from educational or recreational projects sponsored by a city or town or by any association or organization supported wholly or in part by public or private donations for charitable purposes without the payment of additional registration fee. For the registration of every motor bus used for carrying passengers for hire pursuant to a certificate, license or permit issued by the department of public utilities in accordance with the provisions of chapter one hundred and fifty-nine A, fifty cents for each seat. This and the two preceding paragraphs shall apply to the registration of vehicles described therein regardless of whether they are designed to be propelled otherwise than by fuel as defined in section one of chapter sixty-four A, in this section referred to as “non-gasoline driven”, or designed to be propelled by fuel as so defined, in this section referred to as “gasoline driven”. The term “gasoline driven” as used in this section shall include vehicles propelled by Diesel fuel as defined in paragraph (d) of section one of said chapter sixty-four A.

(1) For the registration of every non-gasoline driven automobile used for the transportation of goods, wares or merchandise except an electric motor truck or an electric commercial automobile, ten dollars, or, in the case of an electric motor truck or an electric commercial automobile so used, five dollars, and of every gasoline driven automobile so used, three dollars, for every one thousand pounds or fraction thereof of the gross weight of such vehicle plus the maximum load to be carried thereon, but in no event less than forty dollars in the case of a non-gasoline driven automobile so used or twelve dollars in the case of a gasoline driven automobile so used.

(2) For the registration of every non-gasoline driven tractor which is a part of a semi-trailer unit used for the transportation of property,

ten dollars for every one thousand pounds or fraction thereof of the weight of the tractor and of the weight of the heaviest semi-trailer with which such tractor is combined and operated, plus the maximum load to be carried by such semi-trailer, and for the registration of every gasoline driven tractor which is a part of a semi-trailer unit so used, three dollars for every one thousand pounds or fraction thereof of the weight of such tractor and of the weight of the heaviest semi-trailer with which such tractor is combined and operated, plus the maximum load to be carried by such semi-trailer, but in no event less than eighty dollars nor more than six hundred dollars in the case of a non-gasoline driven tractor which is part of a semi-trailer unit, or less than twenty-four dollars nor more than one hundred and eighty dollars if gasoline driven.

(3) For the registration of every semi-trailer, fifteen dollars.

(4) For the registration of every heavy-duty platform trailer, three dollars for every one thousand pounds or fraction thereof of the weight of such vehicle plus the maximum load to be carried, but in no event less than thirty dollars.

(5) For the registration of every trailer for which a fee is not otherwise provided in this section, three dollars for every one thousand pounds or fraction thereof of the weight of such trailer and the maximum load to be carried thereon.

(6) For the registration of every non-gasoline driven tractor not a part of a semi-trailer unit, ten dollars for every one thousand pounds or fraction thereof of the weight of the tractor and its equipment, but in no event less than twenty dollars, and for the registration of every gasoline driven tractor not a part of a semi-trailer unit, three dollars for every one thousand pounds or fraction thereof of the weight of the tractor and its equipment, but in no event less than twelve dollars; except that the fee to be collected for the registration of a farm tractor not a part of a semi-trailer unit shall be four dollars if the tractor is used exclusively for agricultural purposes. The provisions of subdivisions (1) to (6) shall not apply to any vehicle the fee for the registration of which is hereinbefore provided for in this section. The aforesaid weight shall mean the weight of such vehicle when fully equipped for the road. The registrar of motor vehicles may establish rules for determining the gross weight, including load, for which any vehicle shall be registered under subdivisions (1) to (6).

(7) For the registration of every motor truck carrying a permanently mounted water well drilling machine, twelve dollars.

For the registration of every antique motor car, four dollars and fifty cents.

For the registration of every automobile known as a taxicab, twenty-two dollars and fifty cents when non-gasoline driven and seven dollars when gasoline driven.

For the registration of every motor bus or other motor vehicle, the fee for the registration of which is not hereinbefore provided for, used for carrying passengers for hire and having a seating capacity of seven persons or less, four dollars for each seat when non-gasoline driven and one dollar and twenty cents for each seat when gasoline driven, and for the registration of every such motor bus or other

vehicle having a seating capacity in excess of seven persons, five dollars for each seat when non-gasoline driven and one dollar and fifty cents for each seat when gasoline driven, but in no event less than twenty dollars when non-gasoline driven or six dollars when gasoline driven. In determining seating capacity aforesaid the driver's seat shall not be included, but the largest number of passengers to be carried in seats shall be included.

For the registration of motor vehicles or trailers owned by or under the control of a manufacturer, dealer, repairman, owner-repairman, or farmer, including one or more pairs of number plates as requested in writing by the applicant for registration, six dollars for the registration and six dollars for each pair of number plates furnished by the registrar. For the registration of motor vehicles under the control of a transporter, including one or more pairs of number plates and registration certificates as requested in writing by the applicant for registration, six dollars for the registration and seven dollars for each pair of number plates and corresponding certificate of registration furnished by the registrar.

For the registration of every motor vehicle or trailer by an owner who applies therefor under section two or section five during the period beginning with the first day of October and ending with the thirty-first day of December in any year, one half of the fee for a full year's registration of said vehicle.

For the substitution of the registration of an automobile for that of a vehicle previously registered, in accordance with section two, one dollar and fifty cents.

For the substitution of the registration of a motorcycle for that of a vehicle previously registered, in accordance with section two, seventy-five cents.

For every license to operate motor vehicles, or for the renewal thereof, five dollars, less one dollar and fifty cents if the license period is less than eighteen calendar months.

For every renewal of any license to operate motor vehicles, five dollars, but if the renewal period is one full year or less, the fee shall be two dollars and fifty cents. No fee shall be collected for a license or renewal thereof restricted to the operation of motor-propelled fire apparatus only.

For the first examination given to an applicant for a license or for a renewal of a license to operate motor vehicles, three dollars; and for each subsequent examination, one dollar and fifty cents.

For every additional copy of a certificate of registration or license, one dollar and fifty cents.

For every certified copy of any application or notice filed with the registrar and for every certified copy of a certificate of registration or license, one dollar and fifty cents.

For every additional number plate furnished to replace such plates as have been lost or mutilated or are illegible, one dollar and fifty cents.

For every copy of any record, or any certificate, the fee for which is not otherwise provided herein, one dollar and fifty cents, except that when an owner has registered a vehicle for the ensuing registration

year and thereafter transfers ownership of said vehicle to another before the beginning of said year, or when such owner changes his address before the beginning of said year, the registrar may issue to him a new registration certificate for another vehicle for the ensuing year, or a new registration certificate bearing the new address, without charge other than the additional difference, if any, between the fees for registration of the vehicle transferred and the vehicle sought to be registered for the ensuing year.

The registrar or his authorized agent may, however, furnish without charge copies of certificates of registration and licenses to operate, and copies of other documents relating thereto, to officers of the commonwealth or of any court thereof or of a city or town therein; and the registrar may issue certificates of registration for motor vehicles and licenses to operate the same to any member of the foreign diplomatic corps or to any foreign consular officer who is not a citizen of the United States without the payment of the fees therefor.

No fee shall be exacted for the registration of any vehicle owned by a disabled veteran who is entitled to display thereon the distinctive number plates authorized by section two, and no fee shall be exacted for the issuance to such disabled veteran of a license to operate such vehicle.

No fee shall be exacted for the registration of a bloodmobile unit or a canteen motor truck owned and used by a charitable corporation.

SECTION 2. Section thirty-three of chapter ninety of the General Laws, as amended by section one of this act, shall apply only to motor vehicle registrations for the year nineteen hundred and sixty and subsequent years.

Approved September 10, 1959.

Chap. 572. AN ACT AUTHORIZING THE ARMORY COMMISSION TO CONVEY CERTAIN LAND IN THE TOWN OF FRAMINGHAM TO SAID TOWN TO BE USED AS A SITE FOR A FIRE STATION.

Be it enacted, etc., as follows:

SECTION 1. The armory commission is hereby authorized to convey, on behalf of the commonwealth, to the town of Framingham, for a nominal consideration, a certain parcel of land in said town, shown on a plan entitled "Town of Framingham—Plan of Land on Concord Street—To be acquired from the Commonwealth of Massachusetts for Proposed Fire Station Site—Scale 1" = 40'—May 28, 1959—Richard T. Mackey, Chief Engineer", and bounded and described as follows:—Beginning at a stone bound located on the westerly line of Concord Street, which bound also marks the property line on land now or formerly of Rufus A. & Bertha L. Sheridan; thence S-79°-55' 30"-W, 254.74 feet by land of Sheridan & Carey to an angle point at other land of the Commonwealth of Massachusetts; thence N-1°-E, 198.93 feet to an angle point; thence S-89°-E, 250.00 feet to a point on the westerly location line of Concord Street; said last two courses being by land of the Commonwealth of Massachusetts; thence S-1°-W, 150.00 feet by the westerly line of Concord Street to the stone bound at the point of beginning, containing 43,616 square feet more or less.

The deed conveying said land shall provide that all right, title and interest therein shall revert to and revest in the commonwealth, if said town does not commence construction of a fire station thereon within two years after the effective date of this act.

SECTION 2. This act shall take effect upon its passage.

Approved September 10, 1959.

Chap. 573. AN ACT PROVIDING FOR THE REIMBURSEMENT BY THE COMMONWEALTH OF THE TOWN OF MILLVILLE OF PART OF THE COST OF CONSTRUCTION OF A NEW ELEMENTARY SCHOOL BY SAID TOWN.

Be it enacted, etc., as follows:

The state treasurer is hereby authorized and directed to pay to the town of Millville such sums as would have been due said town from the commonwealth if an application for a state school construction grant for the construction by said town of its new elementary school had been filed by said town and approved by the school building assistance commission under the provisions of chapter six hundred and forty-five of the acts of nineteen hundred and forty-eight, as amended. Said commission shall determine the amounts and the time of said payments, and shall certify the same to the comptroller as provided in said chapter six hundred and forty-five, and the treasurer shall make the payments so certified to said town.

Approved September 10, 1959.

Chap. 574. AN ACT FURTHER DEFINING THE RETIREMENT BENEFITS OF ELECTED PUBLIC OFFICIALS.

Be it enacted, etc., as follows:

SECTION 1. Subdivision (1) of section 5 of chapter 32 of the General Laws is hereby amended by striking out paragraph (d), as most recently amended by chapter 486 of the acts of 1953, and inserting in place thereof the following paragraph:—

(d) Notwithstanding any provision of this chapter to the contrary, any member holding office by popular election at the time of attaining maximum age for his group, whether or not he is then entitled to a superannuation allowance, may continue to serve in such office until the expiration of the term for which he was elected and until the expiration of any succeeding term or terms for which he may subsequently be re-elected thereto and during such term or terms he shall not be subjected to compulsory retirement but shall continue as an active member of the retirement system and deductions shall be made from his regular compensation so long as he holds such office and the time of holding such office shall be considered creditable service for the computation of his retirement allowance.

SECTION 2. The provisions of this act shall apply to any inactive member of a retirement system holding elective public office on the effective date of this act, provided that he pays into the annuity savings fund of the system an amount equal to that which would have

been withheld as regular deductions from his regular compensation from the date of his becoming seventy years of age to the date that he re-enters the system as an active member under the provisions of this act, in addition to such sums as he may have received as retirement allowance under the provisions of chapter thirty-two of the General Laws.

Approved September 10, 1959.

Chap. 575. AN ACT VALIDATING CERTAIN ACTION TAKEN AT THE ANNUAL TOWN MEETING OF THE TOWN OF SOUTH HADLEY HELD IN THE YEAR NINETEEN HUNDRED AND FIFTY-NINE.

Be it enacted, etc., as follows:

SECTION 1. The action and proceedings of the town of South Hadley taken at the annual town meeting held on March fourteenth, nineteen hundred and fifty-nine and all adjourned sessions thereof, including without limitation the vote passed under Article 40 of the warrant for such meeting, authorizing the borrowing of three hundred and fifty thousand dollars, Town of South Hadley Sewer Loan, Act of 1951, and all acts done pursuant to such vote, are hereby ratified, validated and in all respects confirmed.

SECTION 2. This act shall take effect upon its passage.

Approved September 14, 1959.

Chap. 576. AN ACT PROVIDING FOR THE EXTENSION OF THE DATE OF TERMINATION OF THE ACT TO MEET CERTAIN CONTINGENCIES ARISING IN CONNECTION WITH THE SERVICE OF PUBLIC OFFICERS AND EMPLOYEES AND CERTAIN OTHER PERSONS IN THE MILITARY OR NAVAL FORCES OF THE UNITED STATES, AND EXTENDING THE BENEFITS OF SAID ACT.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is in part to extend forthwith certain benefits to certain persons in the military or naval forces of the United States, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Chapter 708 of the acts of 1941 is hereby amended by striking out section 25, as most recently amended by section 1 of chapter 551 of the acts of 1957, and inserting in place thereof the following section:—*Section 25.* Service in the military or naval forces of the United States referred to in this act shall, except as otherwise provided thereby, mean such service occurring between January first, nineteen hundred and forty and July first, nineteen hundred and sixty.

SECTION 1A. Paragraph (h) of subdivision (1) of section 4 of chapter 32 of the General Laws is hereby amended by striking out the third subparagraph, as appearing in section 8 of chapter 627 of the

acts of 1954, and inserting in place thereof the following subparagraph:—

Any member who served in the armed forces between January first, nineteen hundred and forty and July first, nineteen hundred and sixty, shall have such actual service credited to him as creditable service when reinstated or re-employed in his former position or in a similar position within two years of his discharge or release from such service. The provisions of sections nine and nine A of chapter seven hundred and eight of the acts of nineteen hundred and forty-one, as amended, and as may be further amended, shall be applicable to any such veteran referred to therein.

SECTION 1B. Section 58A of chapter 32 of the General Laws, as amended by section 13 of chapter 627 of the acts of 1954, is hereby further amended by striking out, in line 13, the word "fifty-five" and inserting in place thereof the word:—sixty.

SECTION 2. This act shall take effect as of July first, nineteen hundred and fifty-nine.

Approved September 14, 1959.

Chap. 577. AN ACT EXCLUDING CERTAIN LAND FROM EMINENT DOMAIN PROCEEDINGS BY THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Chapter 624 of the acts of 1958 is hereby amended by inserting after section 1 the following section:—*Section 1A.* The provisions of section one of this act relative to takings by eminent domain shall not apply to the location or site known as the Boston Retail Market situated within the area bounded by Blackstone street, Union street, North street, and Haymarket square in the city of Boston.

Approved September 14, 1959.

Chap. 578. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC SAFETY TO SELL AND CONVEY TO CATHERINE M. WARREN A CERTAIN PARCEL OF LAND LOCATED IN THE TOWN OF GRAFTON.

Be it enacted, etc., as follows:

The commissioner of public safety, in the name and behalf of the commonwealth, is hereby authorized, subject to the approval of the governor and council, to sell and convey, by a deed approved as to form by the attorney general, to Catherine M. Warren of the town of Grafton, a portion of the land in said town upon which the state police barracks are located. Said portion of land being a certain parcel of land situated on Worcester street in said town and shown on a Plan of Land entitled, "Plan of Land on Worcester street, Grafton, to be transferred from the Commonwealth of Mass., Department of Public Safety, to Catherine M. Warren, dated May, 1958, Lester H. Sarty, Reg. Land Surveyor" bounded and described as follows: Beginning at a bound on the easterly line of said Worcester street at land now or formerly of Alfred Corkum; thence running N 53° 52' 33.4" E 627.94

feet more or less by land of said Corkum and by land of George Jordan and of Frank Warren now or formerly, to a bound; thence turning and running S 32° 56' 14.4" E 50 feet by land of said Frank Warren, now or formerly to a bound; thence turning and running S 53° 52' 33.4" W 604.84 feet more or less by land retained by the commonwealth of Massachusetts, department of public safety to a bound; thence turning and running along a radius of 20.00 feet 31.51 feet more or less to a bound on said Worcester street; thence turning and running N 36° 23' 29.1" W, 70.09 feet to the point of beginning, containing thirty-one thousand four hundred and five square feet according to said plan. Said land shall be conveyed subject to the express condition that the grantee, Catherine M. Warren, her heirs and assigns, shall install and maintain a drainage system thereon to permit, accommodate or conduct any flowage of natural drainage from the land retained by the commonwealth, and further, the department of public safety, acting on behalf of the commonwealth shall reserve for the commonwealth and its assigns, the right to use the above described land for purposes of a passageway. The sale price of the land shall be its fair value to be determined by an independent appraiser appointed by the commissioner of administration.

Approved September 14, 1959.

Chap. 579. AN ACT AUTHORIZING THE COMMISSIONER OF PUBLIC SAFETY TO SELL A CERTAIN PARCEL OF LAND IN THE TOWN OF MATTAPOISETT.

Be it enacted, etc., as follows:

The commissioner of public safety, in the name and on behalf of the commonwealth, may sell at public or private sale at an amount not less than its purchase price, with the approval of the governor and council, a certain parcel of land located in the town of Mattapoisett, in the county of Plymouth, being bounded and described as follows: Beginning at a Plymouth Highway Marker on the northerly line of County street as laid out by the state highway department, thence South 80 degrees 18 minutes 37 seconds West on the northerly line of the said street 155.00 feet to a stone bound; thence North 9 degrees 41 minutes 23 seconds West on line of land now or formerly of John S. Sylvia, 276.00 feet to a stone bound; thence North 87 degrees 31 minutes 37 seconds East on line of land now or formerly of John S. Sylvia, 250.00 feet to a stone bound in the westerly line of North street; thence South 5 degrees 18 minutes 23 seconds East on the westerly line of North street 170.00 feet to a Plymouth County Highway Marker; thence Southwesterly on line of said North street by a curved line with a radius of 80 feet and deflecting to the right 120.55 feet measured on the arc to the point of beginning. Containing 1.40 Acres. Being the same parcel of land conveyed by John S. Sylvia to the commonwealth by deed dated June 25th, 1946.

Approved September 14, 1959.

Chap. 580. AN ACT MAKING CORRECTIVE AND OTHER CHANGES IN THE UNIFORM COMMERCIAL CODE AND IN RELATED LAWS AFFECTED BY THE UNIFORM COMMERCIAL CODE.

Be it enacted, etc., as follows:

SECTION 1. Chapter 105 of the General Laws is hereby amended by striking out the captions preceding sections seven, fifteen, forty-two and sixty-five, as appearing in the Tercentenary Edition.

SECTION 2. Section 57 of said chapter 105, as so appearing, is hereby amended by striking out, in line 7, the words "section twenty-one" and inserting in place thereof the following:—subsection (1) of section seven—six hundred and one of chapter one hundred and six,—so as to read as follows:—*Section 57.* A warehouseman, or any officer, agent or servant of a warehouseman, who issues or aids in issuing a duplicate or additional negotiable receipt for goods, knowing that a former negotiable receipt for the same goods or any part of them is outstanding and uncanceled, without plainly placing upon the face thereof the word "Duplicate", except in the case of a lost or destroyed receipt after proceedings as provided for in subsection (1) of section seven—six hundred and one of chapter one hundred and six, shall be punished by a fine of not more than five thousand dollars or by imprisonment in the state prison for not more than five years or in a jail or house of correction for not more than two and one half years, or both.

SECTION 3. Section 59 of said chapter 105, as so appearing, is hereby amended by striking out, in lines 6 and 7, the words "sections twenty-one and forty-one" and inserting in place thereof the following:—paragraph (c) of subsection (1) of section seven—four hundred and three and subsection (1) of section seven—six hundred and one of chapter one hundred and six,—so as to read as follows:—*Section 59.* A warehouseman, or any officer, agent or servant of a warehouseman, who delivers goods out of the possession of such warehouseman, knowing that a negotiable receipt the negotiation of which would transfer the right to the possession of such goods is outstanding and uncanceled, without obtaining the possession of such receipt at or before the time of such delivery, shall, except as provided in paragraph (c) of subsection (1) of section seven—four hundred and three and subsection (1) of section seven—six hundred and one of chapter one hundred and six, be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year, or both.

SECTION 4. Subsection (2) of section 8 – 304 of chapter 106 of the General Laws, as appearing in section 1 of chapter 765 of the acts of 1957, is hereby amended by striking out, in line 7, the words "reason to know" and inserting in place thereof the word:—knowledge,—and by inserting after the word "fiduciary", in line 8, the words:—or otherwise in breach of duty,—so as to read as follows:—(2) The fact that the purchaser (including a broker for the seller or buyer) has notice that the security is held for a third person or is registered in the name of or indorsed by a fiduciary does not create a duty of inquiry into the rightfulness of the transfer or constitute notice of adverse claims. If, however, the purchaser (excluding an intermediary bank) has knowledge that the proceeds are being used or that

the transaction is for the individual benefit of the fiduciary or otherwise in breach of duty, the purchaser is charged with notice of adverse claims.

SECTION 5. Section 8-318 of said chapter 106, as so appearing, is hereby amended by inserting after the word "conversion", in lines 5 and 6, the words:—or for participation in breach of fiduciary duty,—so as to read as follows:—

Section 8-318. No Conversion by Good Faith Delivery.

An agent or bailee who in good faith (including observance of reasonable commercial standards if he is in the business of buying, selling or otherwise dealing with securities) has received securities and sold, pledged or delivered them according to the instructions of his principal is not liable for conversion or for participation in breach of fiduciary duty although the principal had no right to dispose of them.

SECTION 6. Said chapter 106 is hereby further amended by striking out section 8-402, as so appearing, and inserting in place thereof the following section:—

Section 8-402. Assurance that Indorsements are Effective.

(1) The issuer may require the following assurance that each necessary indorsement (section 8-308) is genuine and effective

(a) in all cases, a guarantee of the signature (subsection (1) of section 8-312) of the person indorsing;

(b) where the indorsement is by an agent, appropriate assurance of authority to sign;

(c) where the indorsement is by a fiduciary, appropriate evidence of appointment or incumbency;

(d) where there is more than one fiduciary, reasonable assurance that all who are required to sign have done so; and

(e) where the indorsement is by a person not covered by any of the foregoing, assurance appropriate to the case corresponding as nearly as may be to the foregoing.

(2) A "guarantee of the signature" in subsection (1) means a guarantee signed by or on behalf of a person reasonably believed by the issuer to be responsible. The issuer may adopt standards with respect to responsibility provided such standards are not manifestly unreasonable.

(3) "Appropriate evidence of appointment or incumbency" in subsection (1) means

(a) in the case of a fiduciary appointed or qualified by a court, a certificate issued by or under the direction or supervision of that court or an officer thereof and dated within sixty days before the date of presentation for transfer; or

(b) in any other case a copy of a document showing the appointment or a certificate issued by or on behalf of a person reasonably believed by the issuer to be responsible or, in the absence of such a document or certificate, other evidence reasonably deemed by the issuer to be appropriate. The issuer may adopt standards with respect to such evidence provided such standards are not manifestly unreasonable. The issuer is not charged with notice of the contents of any docu-

ment obtained pursuant to this paragraph except to the extent that the contents relate directly to the appointment or incumbency.

(4) The issuer may elect to require reasonable assurance beyond that specified in this section but if it does so and for a purpose other than that specified in paragraph (b) of subsection 3 both requires and obtains a copy of a will, trust, indenture, articles of co-partnership, by-laws or other controlling instrument it is charged with notice of all matters contained therein affecting the transfer.

SECTION 7. Said chapter 106 is hereby further amended by striking out section 8 - 403, as so appearing, and inserting in place thereof the following section:—

Section 8 - 403. Limited Duty of Inquiry.

(1) An issuer to whom a security is presented for registration is under a duty to inquire into adverse claims if

(a) a written notification of an adverse claim is received at a time and in a manner which affords the issuer a reasonable opportunity to act on it prior to the issuance of a new, reissued or re-registered security and the notification identifies the claimant, the registered owner and the issue of which the security is a part and provides an address for communications directed to the claimant; or

(b) the issuer is charged with notice of an adverse claim from a controlling instrument which it has elected to require under subsection (4) of section 8 - 402.

(2) The issuer may discharge any duty of inquiry by any reasonable means, including notifying an adverse claimant by registered or certified mail at the address furnished by him or if there be no such address at his residence or regular place of business that the security has been presented for registration of transfer by a named person, and that the transfer will be registered unless within thirty days from the date of mailing the notification, either

(a) an appropriate restraining order, injunction or other process issues from a court of competent jurisdiction; or

(b) an indemnity bond sufficient in the issuer's judgment to protect the issuer and any transfer agent, registrar or other agent of the issuer involved, from any loss which it or they may suffer by complying with the adverse claim is filed with the issuer.

(3) Unless an issuer is charged with notice of an adverse claim from a controlling instrument which it has elected to require under subsection (4) of section 8 - 402 or receives notification of an adverse claim under subsection (1) of this section, where a security presented for registration is indorsed by the appropriate person or persons the issuer is under no duty to inquire into adverse claims. In particular

(a) an issuer registering a security in the name of a person who is a fiduciary or who is described as a fiduciary is not bound to inquire into the existence, extent or correct description of the fiduciary relationship and thereafter the issuer may assume without inquiry that the newly registered owner continues to be the fiduciary until the issuer receives written notice that the fiduciary is no longer acting as such with respect to the particular security;

(b) an issuer registering transfer on an indorsement by a fiduciary

is not bound to inquire whether the transfer is made in compliance with a controlling instrument or with the law of the state having jurisdiction of the fiduciary relationship, including any law requiring the fiduciary to obtain court approval of the transfer; and

(c) the issuer is not charged with notice of the contents of any court record or file or other recorded or unrecorded document even though the document is in its possession and even though the transfer is made on the indorsement of a fiduciary to the fiduciary himself or to his nominee.

SECTION 8. Said chapter 106 is hereby further amended by striking out section 9 – 207, as so appearing, and inserting in place thereof the following section:—

Section 9 – 207. Rights and Duties When Collateral Is in Secured Party's Possession.

(1) A secured party must use reasonable care in the custody and preservation of collateral in his possession. In the case of an instrument or chattel paper reasonable care includes taking necessary steps to preserve rights against prior parties unless otherwise agreed.

(2) Unless otherwise agreed, when collateral is in the secured party's possession

(a) reasonable expenses (including the cost of any insurance and payment of taxes or other charges) incurred in the custody, preservation, use or operation of the collateral are chargeable to the debtor and are secured by the collateral;

(b) the risk of accidental loss or damage is on the debtor to the extent of any deficiency in any effective insurance coverage;

(c) the secured party may hold as additional security any increase or profits (except money) received from the collateral, but money so received, unless remitted to the debtor, shall be applied in reduction of the secured obligation;

(d) the secured party must keep the collateral identifiable but fungible collateral may be commingled;

(e) the secured party may repledge the collateral upon terms which do not impair the debtor's right to redeem it.

(3) A secured party is liable for any loss caused by his failure to meet any obligation imposed by the preceding subsections but does not lose his security interest.

(4) A secured party may use or operate the collateral for the purpose of preserving the collateral or its value or pursuant to the order of a court of appropriate jurisdiction or, except in the case of consumer goods, in the manner and to the extent provided in the security agreement.

SECTION 9. Subsection (2) of section 9 – 301 of said chapter 106, as so appearing, is hereby amended by striking out, in lines 2 and 3, the words "he gives value" and inserting in place thereof the words:— the collateral comes into possession of the debtor,—so as to read as follows:—(2) If the secured party files with respect to a purchase money security interest before or within ten days after the collateral comes into possession of the debtor, he takes priority over the rights of a transferee in bulk or of a lien creditor which arise between the time the security interest attaches and the time of filing.

SECTION 10. Subsection (4) of section 9-312 of said chapter 106, as so appearing, is hereby amended by inserting after the word "collateral", in line 5, the words:—or within ten days thereafter,—so as to read as follows:—(4) A purchase money security interest in collateral other than inventory has priority over a conflicting security interest in the same collateral if the purchase money security interest is perfected at the time the debtor receives possession of the collateral or within ten days thereafter.

SECTION 11. Subsection (4) of section 9-403 of said chapter 106, as so appearing, is hereby amended by adding at the end the following two sentences:—The index may be made up of the statements themselves, copies thereof, separate cards or otherwise. If a statement covers fixtures and is filed in a registry of deeds, the statement shall also be indexed according to the name of the record owner of the real estate shown on the statement.

SECTION 12. Said chapter 106 is hereby further amended by striking out section 9-405, as so appearing, and inserting in place thereof the following section:—

Section 9-405. Assignment of Security Interest; Duties of Filing Officer; Fees.

(1) A financing statement may disclose an assignment of a security interest in the collateral described in the statement by indication in the statement of the name and address of the assignee or by an assignment itself or a copy thereof on the face or back of the statement. Either the original secured party or the assignee may sign this statement as the secured party. On presentation to the filing officer of such a financing statement the filing officer shall mark the same as provided in subsection (4) of section 9-403. The uniform fee for filing, indexing and furnishing filing data for a financing statement so indicating an assignment shall be three dollars.

(2) A secured party may assign of record all or a part of his rights under a financing statement by the filing of a separate written statement of assignment signed by the secured party of record and setting forth the name of the secured party of record and the debtor, the file number and the date of filing of the financing statement and the name and address of the assignee and containing a description of the collateral assigned. A copy of the assignment is sufficient as a separate statement if it complies with the preceding sentence. On presentation to the filing officer of such a separate statement, the filing officer shall mark such separate statement with the date and hour of the filing. He shall note the assignment on the index of the financing statement. The uniform fee for filing, indexing and furnishing filing data about such a separate statement of assignment shall be three dollars.

(3) After the disclosure or filing of an assignment under this section, the assignee is the secured party of record.

SECTION 13. Said chapter 106 is hereby further amended by striking out section 9-501, as so appearing, and inserting in place thereof the following section:—

Section 9 — 501. Default; Procedure When Security Agreement Covers Both Real and Personal Property.

(1) When a debtor is in default under a security agreement, a secured party has the rights and remedies provided in this Part and except as limited by subsection (3) those provided in the security agreement. He may reduce his claim to judgment, foreclose or otherwise enforce the security interest by any available judicial procedure. If the collateral is documents the secured party may proceed either as to the documents or as to the goods covered thereby. A secured party in possession has the rights, remedies and duties provided in section 9 — 207. The rights and remedies referred to in this subsection are cumulative.

(2) After default, the debtor has the rights and remedies provided in this Part, those provided in the security agreement and those provided in section 9 — 207.

(3) To the extent that they give rights to the debtor and impose duties on the secured party, the rules stated in the subsections referred to below may not be waived or varied except as provided with respect to compulsory disposition of collateral (subsection (1) of section 9 — 505) and with respect to redemption of collateral (section 9 — 506) but the parties may by agreement determine the standards by which the fulfillment of these rights and duties is to be measured if such standards are not manifestly unreasonable:—

(a) Subsection (2) of section 9 — 502 and subsection (2) of section 9 — 504 in so far as they require accounting for surplus proceeds of collateral;

(b) subsection (3) of section 9 — 504 and subsection (1) of section 9 — 505 which deal with disposition of collateral;

(c) subsection (2) of section 9 — 505 which deals with acceptance of collateral as discharge of obligation;

(d) section 9 — 506 which deals with redemption of collateral; and

(e) subsection (1) of section 9 — 507 which deals with the secured party's liability for failure to comply with this Part.

(4) If the security agreement covers both real and personal property, the secured party may proceed under this Part as to the personal property or he may proceed as to both the real and the personal property in accordance with his rights and remedies in respect of the real property in which case the provisions of this Part do not apply.

(5) When a secured party has reduced his claim to judgment the lien of any levy which may be made upon his collateral by virtue of any execution based upon the judgment shall relate back to the date of the perfection of the security interest in such collateral. A judicial sale, pursuant to such execution, is a foreclosure of the security interest by judicial procedure within the meaning of this section, and the secured party may purchase at the sale and thereafter hold the collateral free of any other requirements of this Article.

SECTION 14. Chapter 107 of the General Laws is hereby amended by striking out the title, as appearing in the Tercentenary Edition, and inserting in place thereof the following title:—MONEY AND REGISTRATION, ISSUANCE AND REDEMPTION OF BONDS AND OTHER SECURITIES, FACSIMILE SIGNATURES,—and by

striking out the captions preceding sections nine, thirteen, eighteen, twenty-three, forty-seven, fifty-three, seventy-four, eighty-three, ninety-three, one hundred and twelve, one hundred and forty-two, one hundred and forty-nine, one hundred and fifty-five, one hundred and sixty-six, one hundred and seventy-five, one hundred and eighty-four, one hundred and ninety-four, two hundred and one and two hundred and seven, as so appearing.

SECTION 15. Chapter 108 of the General Laws is hereby amended by striking out the title, as appearing in the Tercentenary Edition, and inserting in place thereof the following title:—**CRIMINAL OFFENCES RELATIVE TO BILLS OF LADING.**—and by striking out the captions preceding sections one, eleven, twenty-six and forty-nine, as so appearing.

SECTION 16. Said chapter 108 is hereby further amended by striking out section 42, as so appearing, and inserting in place thereof the following section:—*Section 42.* An officer, agent or servant of a carrier, who with intent to defraud issues, or aids in issuing, a bill of lading knowing that all or any part of the goods for which it is issued have not been received by the carrier, or by an agent of such carrier or by a connecting carrier, or are not under the carrier's control at the time of issuing the same, shall be punished by a fine of not more than five thousand dollars or imprisonment in the state prison for not more than five years or in a jail or house of correction for not more than two and one half years, or both. The word bill as used in sections forty-three to forty-eight, inclusive, shall mean "bill of lading".

SECTION 17. Section 44 of said chapter 108, as so appearing, is hereby amended by striking out, in line 3, the word "seven" and inserting in place thereof the following:—seven—four hundred and two of chapter one hundred and six, so as to read as follows:—*Section 44.* An officer, agent or servant of a carrier, who with intent to defraud issues, or aids in issuing, a duplicate or additional negotiable bill for goods in violation of section seven—four hundred and two of chapter one hundred and six, knowing that a former negotiable bill for the same goods or any part of them is outstanding and uncanceled, shall be punished by a fine of not more than five thousand dollars or by imprisonment in the state prison for not more than five years or in a jail or house of correction for not more than two and one half years, or both.

SECTION 18. Section 54 of chapter 183 of the General Laws, is hereby amended by adding at the end the following sentence:—The provisions of this section apply notwithstanding the provisions of section three—one hundred and sixteen of chapter one hundred and six.

SECTION 19. Chapter 223 of the General Laws is hereby amended by striking out section 75, as amended by section 2 of chapter 298 of the acts of 1943, and inserting in place thereof the following section:—*Section 75.* Within a reasonable time after such property has been attached, or, in the case of property subject to a recorded mortgage or covered by a financing statement filed pursuant to the provisions of chapter one hundred and six, within a reasonable time after written notice of the attachment, the mortgagee, pledgee, lienor, conditional

vendor or secured party, or his assigns, may demand payment of the money for which the property is liable, giving a just and true account of the debt or demand for which the property is liable to him, showing clearly the balance thereof, whether then payable or payable thereafter, and accompanying it by a reference to the record of recording of a mortgage or the record of filing of a financing statement. Such demand shall be served, either in hand or by registered mail with a request for a return receipt, upon the attaching creditor, or his attorney, or the attaching officer. If the balance as stated in the account, whether then payable or not, is not paid, or tendered to the mortgagee, pledgee, lienor, conditional vendor or secured party, or his assigns, within ten days after such service, the attachment shall be dissolved and the attaching creditor shall be liable to him for any damage he has sustained by the attachment, and the property shall be restored to the person entitled thereto.

SECTION 20. Section 12 of chapter 255 of the General Laws, as most recently amended by section 2 of chapter 674 of the acts of 1958, is hereby further amended by adding at the end the following sentence:—The provisions of this section do not apply to a real estate mortgage, whether or not such mortgage covers a security interest in fixtures or consumer goods.

SECTION 21. Section 12A of chapter 255 of the General Laws, as amended by section 11 of chapter 765 of the acts of 1957, is hereby further amended by adding at the end the following sentence:—The provisions of this section do not apply to a real estate mortgage, whether or not such mortgage covers a security interest in fixtures or consumer goods.

Approved September 14, 1959.

Chap. 581. AN ACT RELATIVE TO TRAVEL ALLOWANCES TO OFFICERS FOR THE SERVICE OF A MITTIMUS OF THE DISTRICT COURT OF CHELSEA.

Be it enacted, etc., as follows:

Section 21 of chapter 262 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "way," in line 5, the words:—except that in the service of such precepts of the district court of Chelsea, if he necessarily uses his own conveyance, he shall be allowed, if the distance traveled is less than ten miles, thirty cents a mile for the distance traveled, both ways; ,—so as to read as follows:—*Section 21.* In the service of precepts in criminal cases, the officer shall be allowed the actual, reasonable and necessary expenses incurred in going or returning with the prisoner, and if he necessarily uses his own conveyance, he shall be allowed therefor twenty cents a mile for the distance traveled one way, except that in the service of such precepts of the district court of Chelsea, if he necessarily uses his own conveyance, he shall be allowed, if the distance traveled is less than ten miles, thirty cents a mile for the distance traveled, both ways; and if he uses the conveyance of another person, he shall be allowed the amount actually expended by him therefor; but no allowance for the use of a conveyance shall be made

unless the officer certifies that it was necessary for him to use a conveyance and that he actually used it for the distance, and, if the conveyance of another was used, that he paid therefor the amount, stated in his certificate. If, in the service of a mittimus, the journey from the town where the prisoner is held to the town where he is to be committed can be made by railroad, no allowance shall be made for the use of any other conveyance, unless the court from which the mittimus is issued by general or special order has authorized the use thereof.

Approved September 14, 1959.

Chap. 582. AN ACT AUTHORIZING THE TOWN OF WEST BROOKFIELD TO ALLOW THE USE OF ITS EQUIPMENT WITH ITS OPERATOR ON PRIVATE PROPERTY FOR CERTAIN PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of utilizing its mechanical equipment to the greatest extent, furnishing more continuous employment for its employees and increasing the taxable value of the real estate within its boundaries, the town of West Brookfield is hereby granted authority to enter into agreements, through its selectmen, to rent such of its mechanical equipment with the operator thereof, when not needed for the use of the town, to private individuals for use on private property within the boundaries of said town. Said authority to enter into an agreement shall not be exercised unless and until the selectmen of the town have in their possession releases executed by the private individual and all employees of the town to be employed on such work to save the town harmless on account of any loss, cost or damages ensuing from the performance of such a rental agreement, including loss, cost or damages to equipment so rented, reasonable wear and tear excepted; nor until a cash deposit equal in amount to the estimated rentals to be paid under said agreement, as determined by the selectmen, is paid over to the town; nor until policies of workmen's compensation insurance and public liability insurance satisfactory to the selectmen have been taken out by the private individual or individuals covering the proposed work.

The costs of said rentals shall be paid by said private individuals. All bills and pay rolls chargeable for work done under such rental agreement shall be plainly marked to indicate that the work was done under authority of and in pursuance of said agreement, and shall be charged against the advance cash deposit which shall be credited on the books of the town in a separate account. Any excess of said charges over the cash deposit shall be paid over by the private individual to the town upon demand of the selectmen or the town treasurer. Any remaining balance in the special cash deposit account, after the completion of the rental agreement, shall be returned to the private individual.

The equipment and employees of the town of West Brookfield, while engaged in performing work under any said rental agreement, shall be deemed to be engaged in the service of the private individual, except that the service of any town employee thereunder shall be deemed creditable service within the meaning of section one of chapter thirty-

two of the General Laws, and shall constitute public employment within the meaning of chapter thirty-one of the General Laws if applicable now or hereafter in the town of West Brookfield to said employees.

SECTION 2. This act shall take full effect upon its acceptance by vote of the inhabitants of the town of West Brookfield at a town meeting, but not otherwise. *Approved September 14, 1959.*

Chap. 583. AN ACT PROVIDING THAT CERTAIN JUSTICES SITTING IN DISTRICT COURTS OTHER THAN THEIR OWN SHALL BE PAID AT THE RATE BY THE DAY OF THE JUSTICES OF SAID COURT.

Be it enacted, etc., as follows:

Section 78 of chapter 218 of the General Laws is hereby amended by adding at the end the following paragraph:—

Any such justice who shall sit in another district court shall be paid by the county in which he sits at the rate by the day of the salary of the justice of said court, but in no event an amount less than the rate by the day of his own court. For each day's service so paid, there shall be deducted by the county treasurer of the county in which his own court is situated one day's compensation at the rate by the day of his own salary as justice. *Approved September 14, 1959.*

Chap. 584. AN ACT RELATIVE TO THE LIABILITY OF CITIES AND TOWNS FOR HOSPITAL CARE OF NEEDY PERSONS IN CERTAIN CASES.

Be it enacted, etc., as follows:

Chapter 117 of the General Laws is hereby amended by striking out section 24, as most recently amended by chapter 481 of the acts of 1943, and inserting in place thereof the following two sections:—

Section 24. Every town shall be liable for any expense necessarily incurred under this chapter for the relief of a person in need of public assistance therein by any person not liable by law for his support, after notice and request made in writing to one or more of the members of the board of public welfare thereof, and until provision is made by them; provided, however, that no town shall be liable under this section for any expense for hospital care.

Section 24A. If hospital care is furnished to a person in need of public assistance by any person not liable by law for his support, the town wherein he resides at the time his hospitalization begins or, if at such time he does not reside in the commonwealth, the town where such care is furnished, shall be liable for the expense of such care necessarily incurred under this chapter after notice and request made in writing to one or more members of the board of public welfare thereof, and until provision is made by them; but no town shall be liable under this section in a sum exceeding the maximum amount which would be allowable to a town under section twenty of chapter one hundred and twenty-two as reimbursement from the commonwealth for like hospital care. The word "resides", as used in this

section, shall be construed to mean "occupies an established place of abode with no present intention of definite and early removal, but not necessarily with the intention of remaining permanently".

Approved September 14, 1959.

Chap. 585. AN ACT TO COMPENSATE AN INJURED EMPLOYEE FOR REASONABLE COSTS RESULTING FROM PROCEEDINGS TO DISCONTINUE COMPENSATION.

Be it enacted, etc., as follows:

Chapter 152 of the General Laws is hereby amended by inserting after section 12 the following section:—*Section 12A.* In any proceeding brought by the insurer to discontinue compensation under this chapter, wherein the insurer is ordered to continue payments to the injured employee, there shall be awarded an amount sufficient to compensate the employee for the reasonable costs of such proceeding, including reasonable counsel fees. *Approved September 14, 1959.*

Chap. 586. AN ACT INCREASING THE SALARY OF THE JUSTICE OF THE SECOND DISTRICT COURT OF PLYMOUTH AND PROVIDING THAT HE SHALL DEVOTE FULL TIME TO HIS JUDICIAL DUTIES.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 77A of chapter 218 of the General Laws, as appearing in section 1 of chapter 675 of the acts of 1958, is hereby amended by inserting after the line reading "district court of Brockton," the following line:—second district court of Plymouth, .

SECTION 2. Section 78 of said chapter 218, as appearing in section 2 of said chapter 675, is hereby amended by striking out line 8, reading "second district court of Plymouth,".

SECTION 3. This act shall take effect on January first, nineteen hundred and sixty. *Approved September 14, 1959.*

Chap. 587. AN ACT TO INCREASE BENEFITS UNDER THE EMPLOYMENT SECURITY LAW.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 24 of chapter 151A of the General Laws, as appearing in section 8 of chapter 763 of the acts of 1951, is hereby amended by striking out, in line 4, the word "five" and inserting in place thereof the words:—six hundred and fifty,—so that clause (a) will read as follows:—(a) Have been paid wages in his base period of not less than six hundred and fifty dollars.

SECTION 2. Section 29 of chapter 151A of the General Laws is hereby amended by striking out subsection (a), as most recently amended by section 5 of chapter 719 of the acts of 1956, and inserting in place thereof the following subsection:—

(a) An individual in total unemployment and otherwise eligible for benefits shall be paid for each week of unemployment an amount based on the highest quarterly wage of his base period, as provided in the following table:

TOTAL WAGES PAID IN HIGHEST QUARTER.	Weekly Benefit Rate.
\$199.99 or less	\$10.00
200.00 — \$219.99	11.00
220.00 — 239.99	12.00
240.00 — 259.99	13.00
260.00 — 279.99	14.00
280.00 — 299.99	15.00
300.00 — 319.99	16.00
320.00 — 339.99	17.00
340.00 — 359.99	18.00
360.00 — 383.99	19.00
384.00 — 407.99	20.00
408.00 — 431.99	21.00
432.00 — 455.99	22.00
456.00 — 479.99	23.00
480.00 — 505.99	24.00
506.00 — 531.99	25.00
532.00 — 573.99	26.00
574.00 — 615.99	27.00
616.00 — 657.99	28.00
658.00 — 699.99	29.00
700.00 — 741.99	30.00
742.00 — 783.99	31.00
784.00 — 825.99	32.00
826.00 — 867.99	33.00
868.00 — 909.99	34.00
910.00 — 951.99	35.00
952.00 — 993.99	36.00
994.00 — 1,035.99	37.00
1,036.00 — 1,077.99	38.00
1,078.00 — 1,119.99	39.00
1,120.00 or over	40.00

Approved September 14, 1959.

Chap. 588. AN ACT INCREASING THE BENEFIT DURATION PERIOD UNDER THE EMPLOYMENT SECURITY LAW.

Be it enacted, etc., as follows:

Section 30 of chapter 151A of the General Laws, as most recently amended by section 2 of chapter 437 of the acts of 1958, is hereby further amended by striking out the first paragraph and inserting in place thereof the following paragraph:—The total benefits which an unemployed individual may receive during his benefit year shall be an amount equal to thirty-six per cent of his wages in the base period, or an amount equal to thirty times his benefit rate, whichever is the lesser, plus dependency benefits payable under section twenty-nine. If such amount includes a fractional part of a dollar, it shall be raised to the next highest dollar.

Approved September 14, 1959.

Chap. 589. AN ACT INCREASING THE AMOUNT OF ADDITIONAL UNEMPLOYMENT COMPENSATION PAYABLE ON ACCOUNT OF EACH OF CERTAIN DEPENDENT CHILDREN AND EXTENDING SAID DEPENDENCY ALLOWANCES TO CERTAIN CHILDREN OF DIVORCED OR SEPARATED PARENTS.

Be it enacted, etc., as follows:

Section 29 of chapter 151A of the General Laws is hereby amended by striking out subsection (c), as most recently amended by chapter 385 of the acts of 1958, and inserting in place thereof the following subsection:—

(c) An individual in total or partial unemployment and otherwise eligible for benefits shall be paid for each week of such unemployment, in addition to the amount payable under paragraph (a) or (b), as the case may be, the sum of six dollars for each child under the age of eighteen and for each child eighteen years of age or over incapable of earning any wages because of mental or physical incapacity, who is dependent upon him at law and in fact in a benefit year, and for each child under the age of eighteen for whom he is under a decree or order from a court of competent jurisdiction to contribute to such child's support and for whom no other person is receiving allowances hereunder; provided, that such child is domiciled within the United States or the territories or possessions thereof, and that in no instance shall the regular unemployment benefits and the additional amount allotted for dependency and partial earnings under paragraph (b) be more than his average weekly wage.

Approved September 14, 1959.

Chap. 590. AN ACT AUTHORIZING THE METROPOLITAN DISTRICT COMMISSION TO CONSTRUCT CERTAIN IMPROVEMENTS AND EXTENSIONS TO THE DISTRIBUTION SYSTEM OF THE METROPOLITAN WATER DISTRICT AND TO BORROW MONEY FOR THE CONSTRUCTION THEREOF.

Be it enacted, etc., as follows:

SECTION 1. The metropolitan district commission for the purpose of improving its distribution facilities and furnishing the town of Lexington and the city of Waltham, which are members of the metropolitan water district, with an adequate supply of water under pressure to meet their local requirements, in accordance with the provisions of chapter ninety-two of the General Laws, is hereby authorized and directed to construct a water main extending from the vicinity of the intersection of Park avenue and Route 2 in Arlington and Belmont, westerly along Route 2 or in streets or private property adjacent thereto to the vicinity of Waltham street in Lexington and to construct a water tank and such connecting water mains and other appurtenances as may be necessary.

The commission may prepare plans for such improvements but no part of the construction within the town of Lexington shall be commenced until the town of Lexington and the city of Waltham, or either of them, has entered into an agreement with the commission to

reimburse the commission for a portion of the cost of such construction, excepting the cost of constructing the water tank and such connecting mains and appurtenances as may be necessary therefor, in proportion to the benefits to be derived therefrom by said town and city respectively as set forth in such agreement.

SECTION 2. In carrying out the provisions of section one, said commission may expend a sum not exceeding, in the aggregate, two million dollars.

SECTION 3. To meet the expenditures necessary in carrying out the provisions of this act, the state treasurer shall, upon request of the governor and council, issue and sell at public or private sale bonds of the commonwealth, registered or with interest coupons attached, as he may deem best, to an amount to be specified by the governor and council from time to time, but not exceeding in the aggregate the sum of two million dollars. Bonds issued by the commonwealth as aforesaid shall be designated on the face Metropolitan District Water Main Loan, Act of 1959 and shall be on the serial payment plan, and shall be for such maximum terms of years not exceeding thirty years from the date of issue as may be recommended by the governor pursuant to section three of Article LXII of the Amendments to the Constitution of the Commonwealth, the maturities thereof to be so arranged that the amounts payable in the several years other than the final year shall be as nearly equal as in the opinion of the state treasurer it is practicable to make them. Said bonds shall bear interest payable semi-annually at such rate as the state treasurer, with the approval of the governor, shall fix. Such bonds shall be payable not earlier than July first, nineteen hundred and sixty, nor later than June thirtieth, nineteen hundred and ninety. All interest payments and payments on account of principal on such obligations shall be part of the debt and expense of the metropolitan water district.

SECTION 4. This act shall take effect upon its passage.

Approved September 14, 1959.

Chap. 591. AN ACT CHANGING THE TIME AND MANNER OF PAYMENT OF STATE SCHOOL CONSTRUCTION GRANTS IN CERTAIN INSTANCES.

Be it enacted, etc., as follows:

Section 9 of chapter 645 of the acts of 1948, as most recently amended by section 5 of chapter 703 of the acts of 1957, is hereby further amended by striking out the last paragraph and inserting in place thereof the following paragraph:—

Such total construction grant, in the case of any project to be financed from the proceeds of any sale of bonds or notes to the extent of fifty per cent or less of the approved cost thereof, shall be paid in five equal annual installments, beginning in the calendar year in which the construction of such project has been commenced. Such total construction grant, in the case of all other projects, shall be paid annually in equal parts to be determined by dividing such total grant by the number of years during which any indebtedness incurred for such projects shall remain outstanding and such payments shall begin

in the calendar year in which the first payment of principal on account of such indebtedness shall become due and payable, except that in the case of any such other projects for which seventy-five thousand dollars or more has been appropriated by a city or town from the stabilization fund under the provisions of section five B of chapter forty of the General Laws, or in the case of any such other projects of a regional school district in which the member towns have appropriated in the aggregate seventy-five thousand dollars or more from their stabilization funds, such total construction grant, if more than the amount so appropriated, shall be paid as follows: A sum equal to the amount so appropriated shall be paid in the year in which the construction of such project has been commenced and the remainder of such construction grant shall be paid annually thereafter in equal parts to be determined by dividing such remainder by the number of years during which any indebtedness incurred for such project shall remain outstanding; and such total construction grant, if less than the amount so appropriated from the aforesaid stabilization fund, shall be paid in the year in which the construction of such project has been commenced.

Approved September 14, 1959.

Chap. 592. AN ACT AUTHORIZING THE DEPARTMENT OF EDUCATION TO GRANT ADDITIONAL APPROPRIATE BACCALAUREATE DEGREES AT CERTAIN STATE INSTITUTIONS.

Be it enacted, etc., as follows:

Section 7 of chapter 73 of the General Laws, as most recently amended by section 4 of chapter 246 of the acts of 1959, is hereby further amended by adding at the end the following sentence:—The department may also grant such other appropriate baccalaureate degrees at such teachers colleges and at said college of art as it may determine and prescribe.

Approved September 14, 1959.

Chap. 593. AN ACT PROVIDING FOR THE REBATE OF UNEARNED INTEREST IN SALES OF CONSUMER GOODS INVOLVING A FINANCE CHARGE.

Be it enacted, etc., as follows:

Chapter 255 of the General Laws is hereby amended by striking out section 12B, as most recently amended by section 3 of chapter 674 of the acts of 1958, and inserting in place thereof the following section:—*Section 12B.* Notwithstanding any provision to the contrary in any sale of consumer goods on credit, secured or unsecured, wherein a finance charge is made, the debtor may satisfy in full, at any time before maturity, the debt involved in such sale and in satisfying such debt shall receive a credit thereon for such anticipation of payments. Upon any satisfaction of such debt by the debtor prior to maturity, then the amount of such credit shall represent at least as great a proportion of the total amount of the finance charge, after first deducting from such finance charge the cost of any insurance included therein and an acquisition cost in the case of motor vehicles, other than motor vehicles as defined in section one of chapter two hundred and fifty-

five B. of twelve dollars and fifty cents and in other cases five dollars, as the sum of the periodical time balances after the month in which the debt is paid in full, bears to the sum of all the periodical time balances under the schedule of payments in the original contract. This computation of rebate is to be made under the so-called sum of the digits method. Where the amount of the credit for anticipation of payments is less than one dollar, no refund need be made.

Approved September 14, 1959.

Chap. 594. AN ACT PROVIDING THAT LAND SOLD BY COURT ORDER TO SATISFY A MECHANIC'S LIEN MAY BE REDEEMED WITHIN NINETY DAYS AFTER SUCH SALE, AND FURTHER REGULATING THE FILING OF NOTICE OF A MECHANIC'S LIEN BY SUB-CONTRACTORS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 254 of the General Laws is hereby amended by striking out section 20, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:— *Section 20.* An interest in land sold under this chapter may be redeemed within ninety days after such sale in the manner provided for sales of land on execution.

SECTION 2. Section 4 of said chapter 254, as so appearing, is hereby amended by adding at the end the following paragraph:—

If the contract does not contain a completion date, the person filing the notice of contract in the registry of deeds shall set forth a date of completion which shall be subject to objection by the owner as set forth above if the date of completion is later than the time for the performance of the original contract and any extension thereof. For the purposes of this chapter the date of completion stated in the notice of contract filed in the registry of deeds or in any properly filed notice of extension of such contract shall be the date on which the contract is to be performed.

Approved September 14, 1959.

Chap. 595. AN ACT AUTHORIZING CERTAIN POLITICAL SUBDIVISIONS OF THE COMMONWEALTH TO CONTRIBUTE ONE HALF OF THE COST OF CERTAIN PREMIUMS OF INSURANCE OF RETIRED EMPLOYEES.

Be it enacted, etc., as follows:

Chapter 32B of the General Laws is hereby amended by inserting after section 9 the following section:—*Section 9A.* A county by vote of the county commissioners, a city having a Plan D or Plan E charter by majority vote of its city council, any other city by vote of its city council, approved by the mayor, and a district by vote of the district at a district meeting, may provide that it will pay one half of the amount of the premium to be paid by a retired employee under the provisions of the first sentence of section nine. A town may provide for such payment if a majority of the votes cast in answer to the fol-

lowing question which shall be printed on the official ballot to be used at an election in said town is in the affirmative:—"Shall the town pay one half the premium costs payable by a retired employee for group life insurance and for group general or blanket hospital, surgical and medical insurance?"'. *Approved September 14, 1959.*

Chap. 596. AN ACT PROVIDING FOR AN ASSISTANT CLERK IN THE FIRST DISTRICT COURT OF SOUTHERN MIDDLESEX WHOSE SALARY SHALL BE PAYABLE BY THE COUNTY.

Be it enacted, etc., as follows:

The first paragraph of section 10 of chapter 218 of the General Laws is hereby amended by striking out the second sentence, as most recently amended by section 1 of chapter 559 of the acts of 1959, and inserting in place thereof the following sentence:—Assistant clerks with salaries payable by the county may be appointed in the central district court of northern Essex, the municipal court of the Charlestown district, the municipal court of the Brighton district, the district court of western Hampden, the district court of Newton, the district court of northern Norfolk, the district court of Chicopee, the municipal court of Brookline, the first district court of southern Middlesex, and in courts the judicial districts of which have, according to the national or state census last preceding, a population of sixty thousand or more.

Approved September 15, 1959.

Chap. 597. AN ACT MAKING SUPPLEMENTAL APPROPRIATIONS FOR THE MAINTENANCE OF CERTAIN COUNTIES, THEIR DEPARTMENTS, BOARDS, COMMISSIONS AND INSTITUTIONS, OF SUNDRY OTHER SERVICES, FOR CERTAIN PERMANENT IMPROVEMENTS, AND TO MEET CERTAIN REQUIREMENTS OF LAW AND GRANTING A SUPPLEMENTAL COUNTY TAX FOR SAID COUNTIES.

Whereas, The deferred operation of this act would tend to defeat its purpose which is to provide forthwith for supplementing certain appropriations previously made for the fiscal year nineteen hundred and fifty-nine, therefore it is hereby declared an emergency law necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. To provide for supplementing certain items in the annual appropriation act for each of the following counties, the following sums are hereby appropriated, subject to the provisions of law regulating the disbursement of county funds and the approval thereof for the year nineteen hundred and fifty-nine.

BARNSTABLE COUNTY.

Item	
1.	For interest on county debt \$1,700 00
3.	For county commissioners, salaries and expenses .. 130 00
5.	For clerk of courts, salaries and expenses 136 50
12.	For criminal costs in superior court 697 31

Item	
14.	For district courts, salaries and expenses \$175 50
16.	For jail and house of correction, maintenance and operation 2,549 27
18.	For court houses and registry buildings, maintenance and operation 526 92
22.	For hospital or sanatorium 2,210 76
23.	For preventorium or health service 84 50
24.	For non-contributory pensions 1,589 25
28.	For reserve fund 5,000 00
33.	For police radio system 360 77
41.	For maintenance of sewage plant 1,000 00

Total Amount of Appropriations \$16,160 78

And the county commissioners of Barnstable County are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, in addition to the tax previously authorized by chapter three hundred and thirty-one of the acts of the current year, the sum of \$16,160 78

BERKSHIRE COUNTY.

14.	For district courts, salaries and expenses \$850 40
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Total Amount of Appropriations \$850 40

And the county commissioners of Berkshire County are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, in addition to the tax previously authorized by chapter two hundred and fifty-one of the acts of the current year, the sum of \$850 40

BRISTOL COUNTY.

5.	For clerk of courts, salaries and expenses.....	\$2,224 00
6.	For county treasurer, salaries and expenses	84 50
8.	For registries of deeds, salaries and expenses	362 00
12.	For criminal costs in superior court	4,178 38
14.	For district courts, salaries and expenses	3,892 50
16.	For jail and house of correction, maintenance and operation	377 00
18.	For court houses and registry buildings, maintenance and operation	7,084 00
20.	For agricultural school or county aid to agriculture, maintenance and operation	500 00

Total Amount of Appropriations \$18,702 38

And the county commissioners of Bristol County are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, in addition to the tax

Item

previously authorized by chapter three hundred and sixty of the acts of the current year, the sum of \$18,702 38

DUKES COUNTY.

12. For criminal costs in superior court \$62 47

Total Amount of Appropriations \$62 47

And the county commissioners of Dukes County are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, in addition to the tax previously authorized by chapter three hundred and ten of the acts of the current year, the sum of .. \$62 47

ESSEX COUNTY.

12. For criminal costs in superior court \$334 50

14. For district courts, salaries and expenses 3,499 00

16. For jail and house of correction, maintenance and operation 4,043 00

18. For court houses and registry buildings, maintenance and operation 259 47

20. For agricultural school or county aid to agriculture, maintenance and operation 1,329 00

32. For radio system for fire protection 4,000 00

Total Amount of Appropriations \$13,464 97

And the county commissioners of Essex County are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, in addition to the tax previously authorized by chapter three hundred and thirty-eight of the acts of the current year, the sum of \$13,464 97

FRANKLIN COUNTY.

14. For district courts, salaries and expenses \$150 00

16. For jail and house of correction, maintenance and operation 175 00

Total Amount of Appropriations \$325 00

And the county commissioners of Franklin County are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, in addition to the tax previously authorized by chapter two hundred and eighty-eight of the acts of the current year, the sum of \$325 00

HAMPDEN COUNTY.

Item		
3.	For county commissioners, salaries and expenses	\$123 00
6.	For county treasurer, salaries and expenses	243 75
8.	For registry of deeds, salaries and expenses	3,971 50
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees	3,500 00
14.	For district courts, salaries and expenses	586 48
16.	For jail and house of correction, maintenance and operation	2,000 00
21.	For State reservation, maintenance and operation, Mt. Tom	237 33
Total Amount of Appropriations		<u>\$10,662 06</u>

And the county commissioners of Hampden County are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, in addition to the tax previously authorized by chapter three hundred and sixty-three of the acts of the current year, the sum of \$10,662 06

HAMPSHIRE COUNTY.

3.	For county commissioners, salaries and expenses	\$200 00
8.	For registry of deeds, salaries and expenses	123 50
14.	For district courts, salaries and expenses	300 00
16.	For jail and house of correction, maintenance and operation	175 50
21.	For State reservation, maintenance and operation, Mt. Tom	38 67
Total Amount of Appropriations		<u>\$837 67</u>

And the county commissioners of Hampshire County are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, in addition to the tax previously authorized by chapter two hundred and eighty-nine of the acts of the current year, the sum of \$837 67

MIDDLESEX COUNTY.

3.	For county commissioners, salaries and expenses	\$2,105 73
5.	For clerk of courts, salaries and expenses	24,610 00
6.	For county treasurer, salaries and expenses	2,218 00
8.	For registries of deeds, salaries and expenses	169,585 36
8b.	For southern registry of deeds, indexing system	225,000 00
10.	For highways, including state highways, bridges and land damages	5,850 00
12.	For criminal costs in superior court	1,872 00

Item		
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees	\$900 00
14.	For district courts, salaries and expenses	6,816 50
16.	For jail and house of correction, maintenance and operation	90,830 00
19a.	For furnishing and repairing old Third District Court	24,452 00
27.	For unpaid bills of previous years	1,571 50

Total Amount of Appropriations	\$555,811 09
And the county commissioners of Middlesex County are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, in addition to the tax previously authorized by chapter four hundred and forty-three of the acts of the current year, the sum of	\$555,811 09

NORFOLK COUNTY.

8.	For registry of deeds, salaries and expenses	\$402 50
8a.	For registry of probate, salaries and expenses ...	3,000 00
12.	For criminal costs in superior court	312 00
14.	For district courts, salaries and expenses	3,212 48
16.	For jail and house of correction, maintenance and operation	2,395 00
20.	For agricultural school or county aid to agriculture, maintenance and operation	1,547 00

Total Amount of Appropriations	\$10,868 98
And the county commissioners of Norfolk County are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, in addition to the tax previously authorized by chapter three hundred and eleven of the acts of the current year, the sum of	\$10,868 98

PLYMOUTH COUNTY.

1.	For interest on county debt	\$1,700 00
3.	For county commissioners, salaries and expenses	175 50
8.	For registry of deeds, salaries and expenses	152 50
12.	For criminal costs in superior court	78 00
14.	For district courts, salaries and expenses	2,600 00
16.	For jail and house of correction, maintenance and operation	131 00
20.	For agricultural school or county aid to agriculture, maintenance and operation	91 00
29a.	For police radio network	3,000 00

Total Amount of Appropriations	\$7,928 00
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Item

And the county commissioners of Plymouth County are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, in addition to the tax previously authorized by chapter three hundred and thirty of the acts of the current year, the sum of \$7,928 00

WORCESTER COUNTY.

5.	For clerk of courts, salaries and expenses	\$318 50
8.	For registries of deeds, salaries and expenses ...	347 75
8a.	For registry of probate, salaries and expenses ...	15,000 00
12.	For criminal costs in superior court	1,860 34
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees	3,500 00
14.	For district courts, salaries and expenses	2,467 75
16.	For jail and house of correction, maintenance and operation	2,394 50
18.	For court houses and registry buildings, maintenance and operation	351 00
19.	For purchase of Doyle Property	18,300 00
31.	For radio system, for fire protection	4,000 00

Total Amount of Appropriations \$48,539 84

And the county commissioners of Worcester County are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, in addition to the tax previously authorized by chapter four hundred and five of the acts of the current year, the sum of \$48,539 84

SECTION 2. No provision contained in the county appropriation acts for the current year shall be construed so as to prevent any county officer or employee from making any telephone calls in connection with his official duties or in the regular course of his employment and chargeable to the county even though such telephone calls originate at places other than regular county offices.

Approved September 15, 1959.

Chap. 598. AN ACT MAKING AN APPROPRIATION FOR THE MILK CONTROL COMMISSION FOR THE FISCAL YEAR NINETEEN HUNDRED AND SIXTY.

Be it enacted, etc., as follows:

SECTION 1. To provide for the maintenance of the services of the milk control commission, the sums set forth in this section are hereby appropriated from the General Fund, subject to the provisions of law

regulating the disbursement of public funds and the approval thereof, for the fiscal year ending June thirtieth, nineteen hundred and sixty, to be in addition to any sums at present available for the purpose.

STATE PURPOSES APPROPRIATIONS.

APPROPRIATIONS MADE FROM THE GENERAL FUND.

Service of the Department of Agriculture.

Milk Control Commission.

Item

0906-01 For the service of the commission, including not more than thirty-four permanent positions . . . \$148,173 00

SECTION 2. This act shall take effect upon its passage.

Approved September 15, 1959.

Chap. 599. AN ACT PROVIDING FOR PUBLIC SALE OF REAL ESTATE BY THE METROPOLITAN TRANSIT AUTHORITY.

Be it enacted, etc., as follows:

Section 4 of chapter 544 of the acts of 1947 is hereby amended by inserting after the word "agents", in line 28, the following:—, except that before any real estate shall be so sold or conveyed notice that such real estate is for sale shall (1) be given in writing to the secretary of the advisory board of the authority at least fourteen days prior to the sale or conveyance of such real estate and (2) be publicly advertised in two daily newspapers published in the city of Boston, and, if such real estate is located in any other city or town, in a newspaper published in such other city or town, once a week for three successive weeks; provided, that no such publication shall be required if a sale or conveyance of such real estate is made to the commonwealth or to any political subdivision, agency, or instrumentality thereof.

Approved September 15, 1959.

Chap. 600. AN ACT PROVIDING FOR A PANEL OF THREE ASSOCIATE JUSTICES OF THE SUPERIOR COURT TO ACT UPON LABOR DISPUTE CASES.

Be it enacted, etc., as follows:

Chapter 212 of the General Laws is hereby amended by adding the following section:—*Section 30.* In any action or proceeding involving or arising under sections twenty B, twenty C or twenty-four of chapter one hundred and forty-nine, or section nine A or nine B of chapter two hundred and fourteen or chapter one hundred and fifty A of the General Laws, the chief justice shall designate three associate justices to hear and determine the action or proceeding. The decision of said court shall be subject to review in accordance with the provision of subsection (6) of section nine A of chapter two hundred and fourteen of the General Laws.

Approved September 15, 1959.

Chap. 601. AN ACT AUTHORIZING THE COMMISSIONER OF PUBLIC HEALTH TO ACQUIRE CERTAIN LAND IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

The commissioner of public health, acting on behalf of the commonwealth, is hereby authorized to acquire by purchase or otherwise or to take by eminent domain, under chapter seventy-nine of the General Laws, a certain parcel of land hereinafter described, with the buildings thereon, located in the city of Boston, to wit:—

Beginning at a point on the northerly side of South Street, so-called, at the junction therewith of the Arborway, so-called, and extending thence, following said northerly side of South Street, south 85°-18'-20" west, 93.18 feet; thence south 81°-47'-31" west 23.66 feet; thence south 79°-55'-18" west 28.08 feet; thence south 78°-29'-21" west 67.80 feet; thence south 77°-41'-31" west 53.49 feet; thence south 77°-31'-42" west 89.15 feet; thence south 77°-22'-39" west 100.42 feet; thence south 76°-54'-35" west 62.92 feet; thence south 77°-05'-43" west 52.90 feet; thence south 78°-10'-28" west 40.94 feet; thence south 80°-34'-13" west 41.54 feet; thence south 83°-18'-52" west 33.32 feet; thence south 87°-01'-31" west 20.28 feet; thence north 86°-52'-11" west 72.52 feet; thence north 85°-20'-41" west 61.86 feet; thence north 83°-46'-10" west 99.90 feet; thence north 83°-25'-51" west 119.49 feet; thence north 72°-00'-12" west 8.77 feet; thence north 51°-21'-59" west 11.60 feet; thence north 50°-53'-05" west 7.40 feet; thence north 66°-53'-20" west 7.46 feet; thence north 74°-29'-13" west 59.46 feet; thence leaving said northerly side of South Street and extending north 12°-20'-25" west 14.24 feet; thence north 27°-47'-46" west 111.68 feet; thence north 19°-13'-45" west 42.27 feet; thence north 62°-15'-36" west 58.28 feet; thence north 10°-37'-45" east 66.19 feet; thence south 87°-14'-47" east 84.50 feet to a stone bound; thence north 62°-46'-20" east 139.88 feet to a stone bound; thence north 78°-16'-36" east 145.32 feet to a stone bound; thence north 85°-29'-45" east 60.18 feet to a stone bound; thence south 83°-09'-14" east 343.60 feet to a stone bound; thence north 54°-31'-04" east 422.88 feet to a point on the southwest side of the aforesaid Arborway; thence following the side of the said Arborway southeasterly by a curve to the right of 849.00 feet radius 88.12 feet; thence south 34°-05'-26" east 200.98 feet; thence south 1°-19'-56" east 176.04 feet; and thence south 25°-50'-49" west 101.95 feet to the point of the beginning; containing 463,148 square feet, more or less, the same being shown on a plan of land entitled "Plan of Land in Boston, Massachusetts, West Roxbury District, scale 50 feet to an inch, December 3, 1956" by William S. Crocker, Inc., C.E.

The commissioner of public health may expend for the purposes of this act such sums as may be appropriated therefor.

Approved September 15, 1959.

Chap. 602. AN ACT PROVIDING FOR A HIGHER MINIMUM SALARY FOR PUBLIC SCHOOL TEACHERS.

Be it enacted, etc., as follows:

SECTION 1. Section 40 of chapter 71 of the General Laws is hereby amended by striking out the first sentence, as most recently amended

by chapter 545 of the acts of 1958, and inserting in place thereof the following sentence:—The compensation of every teacher employed in any public day school in the commonwealth, except persons in training and those employed as temporary substitutes, shall be at a rate of not less than four thousand dollars for the school year.

SECTION 2. This act shall take effect on September first, nineteen hundred and sixty.

Approved September 15, 1959.

Chap. 603. AN ACT PLACING THE OFFICE OF SUPERVISOR OF PERSONNEL OF THE CITY OF BOSTON UNDER THE CIVIL SERVICE LAWS.

Be it enacted, etc., as follows:

SECTION 1. The office of supervisor of personnel of the city of Boston shall, upon the effective date of this act, be subject to the civil service laws and rules, and the tenure of any incumbent thereof shall be unlimited, subject, however, to said laws and rules.

The incumbent of said office on said effective date shall be subjected to a qualifying examination for such office by the division of civil service. If said incumbent passes said examination he shall be certified for said office and shall be deemed to be permanently appointed thereto without serving any probationary period, and his tenure of office shall be unlimited, subject, however to the provisions of said laws.

SECTION 2. This act shall take effect upon its acceptance in the current year by vote of the city council of said city, subject to the approval of the mayor, but not otherwise.

Approved September 15, 1959.

Chap. 604. AN ACT TO PROVIDE FOR A SPECIAL CAPITAL OUTLAY PROGRAM FOR THE COMMONWEALTH.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide funds immediately for a special capital outlay program for the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. To provide for a special program of construction, reconstruction, alteration and improvement of various state institutions and properties, and for the purchase of certain property, the sums set forth in section two of this act, for the several purposes and subject to the conditions specified in said section two, are hereby made available, subject to the provisions of law regulating the disbursement of public funds and the approval thereof.

SECTION 2.

Civil Defense Agency.

Item

8256-01 Item 8256-01 of section two of chapter seven hundred and thirty-eight of the acts of nineteen hundred and fifty-five is hereby amended by striking out the wording and inserting in place

Item

thereof the following:— For the construction of a communication center, including the cost of furnishings and equipment, and including the acquisition of land, to be expended in connection with any federal funds available for this purpose.

Service of the Armory Commission.

- 8260-01 For the construction of armories, including furnishings and equipment, to be expended in connection with federal funds available for this purpose, to be in addition to the amount appropriated in item 8259-01 of section two of chapter six hundred and fifty of the acts of nineteen hundred and fifty-eight; provided, that the provisions of section thirty A of chapter seven of the General Laws shall not apply to expenditures made from this item \$215,000 00

Service of the State Superintendent of Buildings.

- 8260-02 For certain improvements to the electrical distribution system in the state house, to be in addition to the amount appropriated in item 8258-15 of section two of chapter seven hundred and sixty-three of the acts of nineteen hundred and fifty-seven \$76,000 00
- 8260-03 For certain renovations and improvements in the state house, including the cost of furnishings and equipment 25,000 00
- 8260-04 For certain repairs and improvements to the Bulfinch front and to the annex of the state house, including certain repairs to the steps, walk and supporting walls to the main entrance, to be in addition to the amount appropriated in item 8258-14 of section two of chapter seven hundred and sixty-three of the acts of nineteen hundred and fifty-seven 100,000 00

Service of the Massachusetts Aeronautics Commission.

- 8260-05 For the reimbursement to cities and towns for the state's share of airport construction as provided in sections thirty-nine F and fifty-one K of chapter ninety of the General Laws, to be available for matching federal funds for the fiscal year nineteen hundred and sixty and succeeding years, to be in addition to the amount appropriated in item 8259-07 of section two of chapter six hundred and fifty of the acts of nineteen hundred and fifty-eight; provided, that this item shall not be subject to section thirty A of chapter seven of the General Laws \$437,000 00

Service of the Department of Natural Resources.

- 8260-06 For the acquisition of land for recreational facilities as authorized by section three of chapter one hundred and thirty-two A of the General Laws, and for the development and improvement of new and existing areas, to be in addition to the amount appropriated in item 8259-08 of section two of chapter six hundred and fifty of the acts of nineteen hundred and fifty-eight; provided, that the comptroller shall include in the assessment made under section five of said chapter one hundred and thirty-two A the sum of fifty thousand dollars yearly for the years nineteen hundred and sixty to nineteen hundred and seventy-nine, inclusive, and shall credit said amount to the General Fund \$1,000,000 00

Service of the Department of Education.

Item

- 8260-07 For fire protection improvements in certain buildings under the supervision of the department of education in accordance with recommendations of the department of public safety to comply with the provisions of section two A of chapter one hundred and forty-three of the General Laws, and for certain other improvements to eliminate fire hazards, to be designated by the director of building construction, to be in addition to the amount appropriated in item 8258-22 of section two of chapter seven hundred and sixty-three of the acts of nineteen hundred and fifty-seven \$34,950 00

Massachusetts Maritime Academy.

- 8260-08 For the construction of an addition to provide administrative offices and for the renovation of present buildings, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8259-14 of section two of chapter six hundred and fifty of the acts of nineteen hundred and fifty-eight \$37,000 00

State Teachers College at Bridgewater.

- 8260-09 For the construction of a dormitory, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8258-24 of section two of chapter seven hundred and sixty-three of the acts of nineteen hundred and fifty-seven \$97,000 00

- 8260-10 For the acquisition of certain land with buildings thereon by purchase or by eminent domain under chapter seventy-nine of the General Laws; provided, that no payment shall be made for the purchase of said land until an independent appraisal of the value of said land and buildings has been made by a qualified, disinterested appraiser, and for the preparation of plans for a new science building 110,000 00

State Teachers College at Fitchburg.

- 8260-11 For certain improvements to the boiler plant and utility distribution system, to be in addition to the amount appropriated in item 8259-21 of section two of chapter six hundred and fifty of the acts of nineteen hundred and fifty-eight \$150,000 00

- 8260-12 For the construction of a library, auditorium, administration and classroom building, including certain renovations to existing buildings and the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8259-18 of section two of chapter six hundred and fifty of the acts of nineteen hundred and fifty-eight 2,500,000 00

State Teachers College at Framingham.

- 8259-24 Item 8259-24 of section two of chapter six hundred and fifty of the acts of nineteen hundred and fifty-eight is hereby amended in line one by inserting after the word "and" the following:—
and land.

- 8260-13 For certain improvements to the boiler plant and utility distribution systems, to be in addition to the amount appropriated in item 8259-23 of section two of chapter six hundred and fifty of the acts of nineteen hundred and fifty-eight \$850,000 00

- 8260-14 For the construction of a home economics and science building, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8259-22 of section two of chapter six hundred and fifty of the acts of nineteen hundred and fifty-eight 2,125,000 00

- 8258-27 Item 8258-27 of section two of chapter seven hundred and sixty-three of the acts of nineteen hundred and fifty-seven is hereby amended by striking out, in line twelve, the words

Item "vocation house" and inserting in place thereof the word:—
dormitory.

State Teachers College at Lowell.

8260-15 For the construction of an addition for science classrooms, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8259-26 of section two of chapter six hundred and fifty of the acts of nineteen hundred and fifty-eight \$406,000 00

State Teachers College at Salem.

8258-28 Item 8258-28 of section two of chapter seven hundred and sixty-three of the acts of nineteen hundred and fifty-seven is hereby amended by striking out the wording and inserting in place thereof the following:—

For certain roof repairs and repairs to the exterior walls of the training school and administration building.

8260-16 For the installation of a cafeteria in the Horace Mann training school, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8259-32 of section two of chapter six hundred and fifty of the acts of nineteen hundred and fifty-eight \$23,000 00

8260-77 For the construction of a business education, arts and science classroom building, including furnishings and equipment and for additional boiler capacity 1,900,000 00

State Teachers College at Westfield.

8260-17 For the construction of a classroom building, including kitchen and cafeteria facilities and including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8259-33 of section two of chapter six hundred and fifty of the acts of nineteen hundred and fifty-eight \$1,080,000 00

State Teachers College at Boston.

8260-19 For certain building renovations and improvements, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8259-36 of section two of chapter six hundred and fifty of the acts of nineteen hundred and fifty-eight \$40,000 00

8260-76 For the acquisition of land by purchase or by eminent domain under chapter seventy-nine of the General Laws; provided, that no payment shall be made for the purchase of said land until an independent appraisal of the value of said land and buildings, if any, has been made by a qualified, disinterested appraiser; and for the preparation of plans for an auditorium, science and classroom building 100,000 00

Bradford Durfee College of Technology.

8260-20 For the construction of an engineering, student-union and library building, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8258-32 of section two of chapter seven hundred and sixty-three of the acts of nineteen hundred and fifty-seven \$1,200,000 00

Lowell Technological Institute of Massachusetts.

8260-21 For fire protection improvements in accordance with recommendations of the department of public safety to comply with the provisions of section two A of chapter one hundred and forty-three of the General Laws and for certain other improvements to eliminate fire hazards, to be designated by the director of building construction, and to be in addition to the amount appropriated in item 8259-42 of section two of chapter six hundred and fifty of the acts of nineteen hundred and fifty-eight \$200,000 00

Item

- 8260-22 For the purchase and installation of certain machinery and equipment, to be in addition to the amount appropriated in item 8259-41 of section two of chapter six hundred and fifty of the acts of nineteen hundred and fifty-eight **\$100,000 00**

University of Massachusetts.

- 8260-23 For the construction of an addition to the dining commons, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8259-49 of section two of chapter six hundred and fifty of the acts of nineteen hundred and fifty-eight **\$575,000 00**
- 8260-24 For certain improvements and additions to the power plant and the utility systems, to be in addition to the amount appropriated in item 8259-47 of section two of chapter six hundred and fifty of the acts of nineteen hundred and fifty-eight **450,000 00**
- 8260-25 For the construction of the third section of the science center, including the cost of furnishings and equipment, to be expended in connection with any federal funds available for this purpose, to be in addition to the amount appropriated in item 8259-45 of section two of chapter six hundred and fifty of the acts of nineteen hundred and fifty-eight **407,000 00**
- 8260-26 For the preparation of plans for a physical education building for men **138,000 00**

Division of Youth Service.

- 8260-28 For fire protection improvements in accordance with recommendations of the department of public safety to comply with the provisions of section two A of chapter one hundred and forty-three of the General Laws and for certain other improvements to eliminate fire hazards, to be designated by the director of building construction, and to be in addition to the amount appropriated in item 8259-60 of section two of chapter six hundred and fifty of the acts of nineteen hundred and fifty-eight **\$642,582 00**

Industrial School for Boys.

- 8260-69 For certain improvements to the power plant and utility distribution systems, to be in addition to the amount appropriated in item 8259-61 of section two of chapter six hundred and fifty of the acts of nineteen hundred and fifty-eight **\$325,000 00**

Service of the Department of Mental Health.

- 8260-29 For fire protection improvements in accordance with recommendations of the department of public safety to comply with the provisions of section two A of chapter one hundred and forty-three of the General Laws and for certain other improvements to eliminate fire hazards, to be designated by the director of building construction, including certain improvements to the electrical distribution system and the replacement of combustible flooring in the power plant at the Taunton state hospital, and to be in addition to the amount appropriated in item 8259-64 of section two of chapter six hundred and fifty of the acts of nineteen hundred and fifty-eight **\$3,736,000 00**
- 8260-30 For the preparation of preliminary plans, outline specifications and estimates of construction costs for a community mental health treatment center **8,000 00**
- 8260-31 For the preparation of preliminary plans, outline specifications and estimates of construction costs for a mental health treatment training and research center **20,000 00**

Boston State Hospital.

Item		
8260-32	For the preparation of plans for a service building, including kitchen, cafeteria and dining facilities . . .	\$74,000 00
8260-70	For certain additional improvements in the medical and surgical building	40,000 00

Danvers State Hospital.

8260-33	For the renovation of the rear and central chapel and certain other related improvements, including the cost of furnishings and equipment	\$734,000 00
8260-34	For certain improvements and additions to the heating systems	90,000 00
8260-71	For certain repairs and waterproofing of walls, the repair of brickwork and the installation of sash	65,000 00

Gardner State Hospital.

8260-35	For the preparation of plans for certain improvements to the power plant and utility distribution systems	\$16,000 00
8260-36	For certain improvements to the ventilation of Thompson hall, to be in addition to the amount appropriated in item 8256-53 of section two of chapter seven hundred and thirty-eight of the acts of nineteen hundred and fifty-five	30,000 00

Grafton State Hospital.

8260-72	For the replacement of sewer lines and certain improvements to the drainage system, Elms service building	\$50,000 00
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Medfield State Hospital.

8260-37	For certain improvements to the power plant and utility distribution systems, to be in addition to the amount appropriated in item 8258-57 of section two of chapter seven hundred and sixty-three of the acts of nineteen hundred and fifty-seven	\$330,000 00
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Metropolitan State Hospital.

8260-38	For certain improvements to the psychotic children's building, including ventilation	\$80,000 00
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Taunton State Hospital.

8260-39	For the preparation of plans for certain improvements to the power plant and utility distribution systems	\$20,000 00
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Westborough State Hospital.

8260-40	For the preparation of plans for certain improvements to the power plant and utility distribution systems	\$18,000 00
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Worcester State Hospital.

8260-41	For the preparation of plans for a regional institution laundry	\$45,000 00
8260-42	For certain improvements to the power plant and utility distribution systems and for the replacement of a greenhouse	500,000 00
8260-43	For certain grading and drainage including the improvement of certain roads	121,000 00

Belchertown State School.

8260-44	For certain improvements to the power plant and utility distribution systems, to be in addition to the amount appropriated in item 8259-75 of section two of chapter six hundred and fifty of the acts of nineteen hundred and fifty-eight	\$375,000 00
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Walter E. Fernald State School.

8260-45	For an addition to the laundry building, including the cost of equipment, to be in addition to the amount appropriated in item 8259-79 of section two of chapter six hundred and fifty of the acts of nineteen hundred and fifty-eight	\$84,000 00
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Item

8260-46	For the construction of a nursery building, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8258-64 of section two of chapter seven hundred and sixty-three of the acts of nineteen hundred and fifty-seven	\$100,000 00
8260-47	For the purchase and installation of travel-tray ovens	45,000 00
8260-73	For certain improvements to the sewer system	25,000 00

Wrentham State School.

8260-48	For the construction of a nursery building, including the cost of furnishings and equipment	\$990,000 00
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Myles Standish State School.

8260-49	For certain improvements to the water supply system	\$35,000 00
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Service of the Department of Correction.

8260-50	For fire protection improvements in accordance with recommendations of the department of public safety to comply with the provisions of section two A of chapter one hundred and forty-three of the General Laws and for certain other improvements to eliminate fire hazards, to be designated by the director of building construction, to be in addition to the amount appropriated in item 8259-84 of section two of chapter six hundred and fifty of the acts of nineteen hundred and fifty-eight	\$672,300 00
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Correctional Institution at Bridgewater.

8260-51	For certain building renovations to provide for the treatment and custody of persons committed under the provisions of chapter one hundred and twenty-three A of the General Laws	\$165,000 00
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Correctional Institution at Walpole.

8260-52	For certain repairs to the prison wall, to be in addition to the amount appropriated in item 1812-21 of section two of chapter seven hundred and forty-three of the acts of nineteen hundred and fifty-seven	\$20,000 00
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Service of the Department of Public Health.

8260-53	For fire protection improvements in accordance with recommendations of the department of public safety to comply with the provisions of section two A of chapter one hundred and forty-three of the General Laws and for certain other improvements to eliminate fire hazards, to be designated by the director of building construction, and to be in addition to the amount appropriated in item 8259-88 of section two of chapter six hundred and fifty of the acts of nineteen hundred and fifty-eight; provided, that of the amount appropriated under this item not less than eight hundred and thirty-two thousand dollars shall be for rewiring and fire protection at Tewksbury Hospital and seventeen thousand six hundred and twenty-eight dollars shall be used for the purpose of providing a special fire watch at said hospital during the period that plans are being prepared for a new hospital and certain other new buildings	\$1,049,628 00
8260-54	For certain improvements at Spy pond in the town of Arlington	17,000 00

Tewksbury Hospital.

8260-55	For certain improvements to the power plant and utility distribution systems	\$158,000 00
8260-56	For the preparation of plans for certain improvements to the water supply system	10,000 00
8260-57	For the preparation of plans for a new hospital and certain other new buildings	300,000 00

Lakeville State Sanatorium.

Item		
8260-58	For the preparation of plans for a new hospital and certain other new buildings	\$207,000 00

Rutland State Sanatorium.

8260-59	For certain structural improvements to the laundry building	\$5,000 00
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Massachusetts Hospital School.

8260-60	For the construction of a nurses' home, including related power plant improvements and the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8259-91 of section two of chapter six hundred and fifty of the acts of nineteen hundred and fifty-eight	\$950,000 00
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Service of the Department of Public Works.

Division of Waterways.

8260-61	For the improvement, development, maintenance and protection of rivers, harbors, tidewaters, shores and great ponds; construction, reconstruction or removal of dams; construction, reconstruction or repair of town or city piers and wharves, the state pier in New Bedford and the state pier in Plymouth; construction, reconstruction or repair of drains; within the commonwealth, as authorized by section eleven of chapter ninety-one of the General Laws, to be used in conjunction with any federal funds made available for the purpose, to be expended with contributions from municipalities or other organizations and individuals; provided, that this item shall not be subject to section thirty A of chapter seven of the General Laws, to be in addition to the amount appropriated in item 8259-93 of section two of chapter six hundred and fifty of the acts of nineteen hundred and fifty-eight	\$5,500,000 00
8260-62	For the continuation of a survey of the great ponds of the commonwealth, including the rights of way thereto, as authorized by chapter twenty-eight of the resolves of nineteen hundred and fifty-one, to be in addition to the amount appropriated in item 2220-21 of section two of chapter four hundred and thirty-four of the acts of nineteen hundred and fifty-eight	30,000 00
8260-74	For the commonwealth's share of the cost of work authorized by chapter six hundred and seven of the acts of nineteen hundred and fifty-seven	1,500,000 00
8260-63	For the commonwealth's share of the cost of work authorized by chapter four hundred and ninety-nine of the acts of the current year	100,000 00
8260-78	For the commonwealth's share of the cost of work at Montgomery Street Brook and Crowfeet Brook in the city of Chicopee, as authorized by section eleven of chapter ninety-one of the General Laws	700,000 00
8260-64	For the acquisition by transfer, purchase or by eminent domain under chapter seventy-nine of the General Laws of certain land in the town of Fairhaven known as Fort Phoenix and Fort Phoenix beach; provided, that no payment shall be made from this item for the purchase of said property until an independent appraisal of the value of said land and buildings has been made by a qualified, disinterested appraiser	90,000 00
8260-75	For the acquisition and improvement of the South Cape Beach in the town of Mashpee, as authorized by chapter six hundred and forty-seven of the acts of nineteen hundred and fifty-eight; provided, that no payment shall be made for the purchase of said land until an independent appraisal of the value	

Item

of the land and buildings has been made by a qualified, disinterested appraiser; and further provided that, for the purpose of assessing the cost of item 8260-64 and this item, the comptroller shall include in the assessment made under section five of chapter one hundred and thirty-two A the sum of twenty-three thousand, two hundred and fifty dollars yearly for the years nineteen hundred and sixty to nineteen hundred and seventy-nine, inclusive, and shall credit the same to the General Fund **\$375,000 00**

8260-80 For the cost of certain improvements to the Housatonic river in Pittsfield and Stockbridge, the Green and Hoosic rivers in Williamstown and Pinebrook in Adams, as authorized by section eleven of chapter ninety-one of the General Laws **82,500 00**

8260-66 For the cost of certain dredging and protective works in the city of Quincy **100,000 00**

Service of the Metropolitan District Commission.

8260-79 For improvements and protective works to the channel and adjacent land of the Muddy river and for certain improvements at Leavitt's, Ward's and Jamaica ponds in the town of Brookline and the city of Boston, including fencing **\$500,000 00**

8260-81 For the construction of a pedestrian overpass on Broadway in the city of Somerville at the Saxton C. Foss Park **200,000 00**

8260-82 For the construction of a pedestrian overpass on Alewife Brook Parkway at Dilboy field in the city of Somerville **100,000 00**

Service of the Division of Building Construction.

8260-67 For the preparation of preliminary plans and descriptive specifications, as authorized by section thirty H of chapter seven of the General Laws, to be in addition to the amount appropriated in item 8359-04 of section two of chapter six hundred and fifty of the acts of nineteen hundred and fifty-eight **\$100,000 00**

8260-68 To cover unexpected contingencies in the cost of projects authorized by this act and by chapters six hundred and four of the acts of nineteen hundred and fifty-two, six hundred and sixty of the acts of nineteen hundred and fifty-three, four hundred and seventy-one of the acts of nineteen hundred and fifty-four, seven hundred and thirty-eight of the acts of nineteen hundred and fifty-five, seven hundred and eleven of the acts of nineteen hundred and fifty-six, four hundred and eighty-five and seven hundred and sixty-three of the acts of nineteen hundred and fifty-seven, and six hundred and fifty of the acts of nineteen hundred and fifty-eight, to be allocated by the commission on administration and finance with the approval of the governor and council, to be in addition to the amount appropriated in item 8359-05 of section two of chapter six hundred and fifty of the acts of nineteen hundred and fifty-eight; provided, that when a project authorized by chapters six hundred and four of the acts of nineteen hundred and fifty-two, six hundred and sixty of the acts of nineteen hundred and fifty-three, four hundred and seventy-one of the acts of nineteen hundred and fifty-four, seven hundred and thirty-eight of the acts of nineteen hundred and fifty-five, seven hundred and eleven of the acts of nineteen hundred and fifty-six, four hundred and eighty-five and seven hundred and sixty-three of the acts of nineteen hundred and fifty-seven, six hundred and fifty of the acts of nineteen hundred and fifty-eight, or by this act, has been determined to be completed by the commission on administration and finance, the comptroller, with the approval of said commission, may transfer the unencumbered balance to this item **494,040 00**

SECTION 2A. To provide for a special construction and improvement program for properties under the control of the department of public safety and Metropolitan District Commission, the sums set forth in the following items in this section are hereby appropriated from the Highway Fund, subject to the provisions of law regulating the disbursement of public funds and the approval thereof, appropriations expire June thirtieth, nineteen hundred and sixty-two.

Item		
2926-23	For certain improvements to the headquarters building, to be in addition to the amount appropriated in item 8356-15 of section two of chapter seven hundred and thirty-eight of the acts of nineteen hundred and fifty-five	\$60,000 00
2926-24	For the acquisition of certain land by purchase or by eminent domain under chapter seventy-nine of the General Laws; provided, that no payment shall be made for the purchase of said land until an independent appraisal of the value of said land has been made by a qualified, disinterested appraiser; and for the preparation of plans and specifications for a new state police substation in the Sandwich-Bourne area	35,000 00
2926-25	For the construction of a state police substation, as authorized by chapter five hundred and forty-four of the acts of the current year, including the cost of furnishings and equipment	247,000 00

Metropolitan District Commission.

2931-21	For the construction of new Middlesex Fells Division Headquarters buildings, including the cost of furnishings and equipment and the acquisition of land by purchase or by eminent domain under chapter seventy-nine of the General Laws; provided, that no payment shall be made for the purchase of said land until an independent appraisal of the value of said land and buildings, if any, has been made by a qualified, disinterested appraiser; and, provided further, that such sums as may be determined to be paid as damages from the taking by the department of public works of the existing division headquarters property shall be credited to the Highway Fund as reimbursement for expenditures authorized by this item; and, provided further, that incidental expenses for temporary quarters during the period of construction may be charged to this item	\$460,000 00
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SECTION 2B. No agency of the commonwealth authorized to make an expenditure under sections two or two A of this act shall make any expenditure for consultant services, so called, or services coded in accordance with the expenditure code manual under the subsidiary title '03 Services—Non-employees' unless the rate of compensation for such services shall have been approved by the commission on administration and finance, in accordance with the applicable provisions of sections thirty A to thirty J, inclusive, of chapter seven of the General Laws; or in the case of projects not subject to the provisions of said sections, the commission has approved in like manner said rate or rates of compensation. The said commission shall, immediately upon the approval of any such rate or rates, file copies of the schedule or schedules of approved rates with the House and Senate committees on Ways and Means.

SECTION 3. The state treasurer may borrow from time to time on the credit of the commonwealth such sums of money as may be necessary

for the purpose of meeting payments as authorized by section two of this act, and may issue and renew from time to time notes of the commonwealth therefor, bearing interest payable at such times and at such rates as shall be fixed by the state treasurer. Such notes shall be issued and may be renewed one or more times for such terms, not exceeding one year, as the governor may recommend to the general court in accordance with section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, but the final maturities of such notes, whether original or renewal, shall be not later than June thirtieth, nineteen hundred and sixty-five. Notwithstanding any provisions of this act, such notes shall be general obligations of the commonwealth.

SECTION 4. To meet the expenditure necessary in carrying out the provisions of section two of this act or to refinance notes issued as provided in section three of this act, the state treasurer shall, upon request of the governor and council, issue and sell at public or private sale bonds of the commonwealth, registered or with interest coupons attached, as he may deem best, to an amount to be specified by the governor and council from time to time, but not exceeding in the aggregate, the sum of thirty-six million four hundred thousand dollars. All bonds issued by the commonwealth as aforesaid, shall be designated on the face Capital Outlay Loan Act of 1959, and shall be on the serial payment plan for such maximum term of years, not exceeding twenty years, as the governor may recommend to the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, the maturities thereof to be so arranged that the amounts payable in the several years of the period of amortization other than the final year, shall be as nearly equal as in the opinion of the state treasurer it is practicable to make them. Said bonds shall bear interest semi-annually at such rate as the state treasurer, with the approval of the governor, shall fix. The initial maturities of such bonds shall be payable not later than one year from the date of issue thereof and the entire issue not later than June thirtieth, nineteen hundred and eighty-five.

(This bill was returned September 16, 1959, by the governor to the house of representatives, the branch in which said bill originated, with his objections in writing to the following items therein:—

Item 8260-61—Disapproved.

Item 8260-62—Disapproved.

Item 8260-63—Disapproved.

Item 8260-78—Disapproved.

Item 8260-64—Disapproved.

Item 8260-75—Disapproved.

Item 8260-80—Disapproved.

Item 8260-66—Disapproved.

Item 8260-79—Disapproved.

The vote being taken in the house of representatives September 16, 1959 and in the senate September 17, 1959, the objections of the governor were not sustained, both branches having voted, in each instance, to pass the items. The remainder of the bill was approved by the governor September 16, 1959.)

Chap. 605. AN ACT AUTHORIZING THE TOWN OF WARE TO APPROPRIATE FUNDS FROM ITS STABILIZATION FUND FOR THE CONSTRUCTION OF A NEW HIGH SCHOOL.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provision of section five B of chapter forty of the General Laws, the town of Ware may, by a two-thirds vote, appropriate from its stabilization fund the sum of two hundred thousand dollars at a special town meeting called for the purpose and to be held during the current year, said sum to be applied to the construction of a new high school.

SECTION 2. This act shall take effect upon its passage.

Approved September 17, 1959.

Chap. 606. AN ACT RELATIVE TO THE TERM OF OFFICE AND RELATED MATTERS FOR MEMBERS OF THE PUBLIC UTILITIES COMMISSION IN THE DEPARTMENT OF PUBLIC UTILITIES.

Be it enacted, etc., as follows:

SECTION 1. Section 2 of chapter 25 of the General Laws, as most recently amended by section 1 of chapter 557 of the acts of 1958, is hereby further amended by striking out, in line 5, the word "five" and inserting in place thereof the word:—seven.

SECTION 2. Section 4 of said chapter 25, as appearing in chapter 221 of the acts of 1938, is hereby further amended by striking out, in line 16, the word "three" and inserting in place thereof the word:—four,—so as to read as follows:—*Section 4.* The chairman shall have and exercise supervision and control over all the affairs of the commission. He shall preside at all hearings at which he is present, and shall designate a commissioner to act as chairman in his absence. He shall not, except as is otherwise provided herein, be charged with any administrative functions. In order to promote efficiency in administration he shall from time to time make such division or redivision of the work of the department among the commissioners as he deems expedient. All of the commissioners shall, if so directed by the chairman, participate in the hearing and decision of any matter coming before the commission. In the hearing of all matters other than those of formal or administrative character coming before the commission, one or more commissioners shall participate and in the decision of all such matters at least four commissioners shall participate; provided that any such matter may be heard, examined and investigated by an employee of the department designated and assigned thereto by the chairman, with the concurrence of at least three commissioners. Such employee shall make a report in writing relative to every such matter to the commission for its decision thereon. For the purposes of hearing, examining and investigating any such matter such employee shall have all of the powers conferred upon a commissioner by section five A. and all pertinent provisions of said section shall apply to such proceedings. In every such case the concurrence of a majority of the commissioners participating in the decision shall be necessary therefor.

SECTION 3. The term of the commissioner expiring in nineteen hundred and sixty is hereby extended until January thirty-first, nineteen hundred and sixty-two; the term of the commissioner expiring in nineteen hundred and sixty-one is hereby extended until January thirty-first, nineteen hundred and sixty-three; the term of the commissioner expiring in nineteen hundred and sixty-two is hereby extended until January thirty-first, nineteen hundred and sixty-four; the term of the commissioner expiring in nineteen hundred and sixty-three is hereby extended until January thirty-first, nineteen hundred and sixty-five; the term of the commissioner expiring in nineteen hundred and sixty-four is hereby extended until January thirty-first, nineteen hundred and sixty-six; the term of the second additional commissioner appointed pursuant to provisions of section two of chapter five hundred and fifty-seven of the acts of nineteen hundred and fifty-eight is hereby extended until January thirty-first, nineteen hundred and sixty-seven; the term of the additional member first appointed under the provisions of section two of chapter five hundred and fifty-seven of the acts of nineteen hundred and fifty-eight is hereby extended until January thirty-first, nineteen hundred and sixty-eight.

SECTION 4. This act shall take effect upon its passage.

Approved September 17, 1959.

Chap. 607. AN ACT LIMITING THE REGULATION OR RESTRICTION BY ORDINANCE, ZONING ORDINANCE OR BY-LAW OF THE MINIMUM SIZE OF SINGLE-FAMILY RESIDENTIAL BUILDINGS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to invalidate forthwith certain regulations and restrictions on the size or area of single-family residential buildings which may have been or may hereafter be adopted by any city or town, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience and welfare.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 2 of chapter 40A of the General Laws, as most recently amended by chapter 145 of the acts of 1957, is hereby further amended by adding after the word "valid", in line 14, the following:—; and provided, further, that in regulating or restricting the size of such buildings or structures no provision of any ordinance or by-law shall be valid which requires the floor area of the living space of a single-family residential building to be greater than seven hundred and sixty-eight square feet,—so as to read as follows:—For the purpose of promoting the health, safety, convenience, morals or welfare of its inhabitants, any city, except Boston, and any town, may by a zoning ordinance or by-law regulate and restrict the height, number of stories, and size of buildings and structures, the size and width of lots, the percentage of lot that may be occupied, the size of yards, courts and other open spaces, the density of population, and the location and use of buildings, structures and land for trade, industry, agriculture, residence or other purposes; provided, however, that no ordinance or by-law which prohibits or

limits the use of land for any church or other religious purpose or for any educational purpose which is religious, sectarian, denominational or public shall be valid; and provided, further, that in regulating or restricting the size of such buildings or structures no provision of any ordinance or by-law shall be valid which requires the floor area of the living space of a single-family residential building to be greater than seven hundred and sixty-eight square feet.

SECTION 2. The first paragraph of section 3 of chapter 143 of the General Laws, as most recently amended by section 3 of chapter 156 of the acts of 1949, is hereby further amended by adding after the word "by-laws", in line 16, the following:—; provided, that in regulating the area of such buildings or structures no provision of any ordinance or by-law shall be valid which requires the floor area of the living space of a single-family residential building to be greater than seven hundred and sixty-eight square feet,—so as to read as follows:— Every city, subject to the provisions of its charter and of any amendments thereto, and of any special law, relative to the enactment of ordinances, and every town, for the prevention of fire and the preservation of life, health and morals, by ordinances or by-laws consistent with law and applicable throughout the whole or any defined part of its territory, may regulate the inspection, materials, construction, alteration, repair, demolition, removal, height, area, location and use, and may require permits or licenses therefor, of buildings and other structures within its limits, except such as are owned or occupied by the United States, or owned or occupied by the commonwealth or by any county, and except bridges, quays and wharves, and may prescribe penalties not exceeding one hundred dollars for every violation of such ordinances or by-laws; provided, that in regulating the area of such buildings or structures no provision of any ordinance or by-law shall be valid which requires the floor area of the living space of a single-family residential building to be greater than seven hundred and sixty-eight square feet.

Approved September 17, 1959.

Chap. 608. AN ACT DIRECTING THE GREYLOCK RESERVATION COMMISSION TO SET ASIDE A CERTAIN AREA OF SAID RESERVATION AS A MEMORIAL PARK AND OPENING THE REMAINDER OF SAID RESERVATION TO HUNTING, FISHING AND TRAPPING.

Be it enacted, etc., as follows:

SECTION 1. The Greylock reservation commission is hereby directed to set aside that portion of the Greylock state reservation located within a radius of three-fourths of a mile from the Mt. Greylock War Memorial tower as a memorial park dedicated to those citizens of the commonwealth who gave their lives in World War I. No hunting, fishing or trapping shall be permitted within said memorial park.

Notwithstanding any contrary provisions of section eighty-nine of chapter one hundred and thirty-one of the General Laws, the remainder of said reservation shall be open to hunting, fishing and trapping, subject to the other provisions of said chapter one hundred and thirty-one and to such restrictions as may be contained in any grant, deed or devise of property which forms a part of said reservation.

SECTION 2. Chapter 606 of the acts of 1953 is hereby amended by striking out section 2 and inserting in place thereof the following section:—*Section 2.* Tramway revenue bonds issued under the provisions of this act shall not be deemed to constitute a debt of the commonwealth or of any political subdivision thereof or a pledge of the faith and credit of the commonwealth or of any such political subdivision, but such bonds shall be payable solely from the funds herein provided therefor from revenues; provided, however, that the interest payable on such bonds shall be guaranteed by the commonwealth. All such tramway revenue bonds shall contain on the face thereof a statement to the effect that neither the authority nor the commonwealth nor any political subdivision thereof shall be obligated to pay the same except from revenue of the tramway, and that neither the faith, the credit nor the taxing power of the commonwealth or of any political subdivision thereof is pledged to the payment of the principal of said bonds, and that the payment of the interest on said bonds is guaranteed by the commonwealth.

SECTION 3. Section 7 of said chapter 606 is hereby amended by striking out, in line 5, the words “and interest”.

SECTION 4. Section 10 of said chapter 606, as amended by section 5 of chapter 476 of the acts of 1955, is hereby further amended by adding the following paragraph:—If, on December first of any year, the amount of the fund established under this section is insufficient to create reserves for such purposes as the authority shall have provided and to pay the principal and interest on its revenue bonds as they become due and payable, the authority shall notify the treasurer of the commonwealth of such deficiency, and the commonwealth shall pay the authority only so much of said deficiency as is necessary to meet the payments of the interest upon bonds of the authority as said payments become due. In order to meet any payment required by the commonwealth under this paragraph the treasurer of the commonwealth shall borrow such sums of money as may be necessary to make such payment to the authority and may issue notes therefor, which shall be payable in not more than one year from the dates thereof and within the same fiscal year as the fiscal year within which they are borrowed in anticipation of appropriations.

Approved September 17, 1959.

Chap. 609. AN ACT RELATIVE TO SALARIES OF CLERKS AND ASSISTANT CLERKS OF THE DISTRICT COURTS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 218 of the General Laws is hereby amended by striking out section 79, as most recently amended by chapter 735 of the acts of 1957, and inserting in place thereof the following section:—*Section 79.* The following words as used in this section and section eighty shall have the following meanings:—

“Court Class”, the classification of district courts for the purpose of establishing salaries of the clerks.

“Step-in-range”, one of the divisions of the salary range in a court classification at which a clerk is compensated.

“Salary range”, a range of salaries from a specified minimum to a specified maximum amount as applied to a court classification.

“Annual Increment”, the amount of dollars between any two consecutive steps-in-range in the same court classification in the salary schedule.

(1) The clerks of the following courts shall be paid in accordance with the salary schedule as set forth in paragraph (2) :—

Class I.—The second district court of Barnstable,
 district court of northern Berkshire,
 district court of southern Berkshire,
 fourth district court of Berkshire,
 district court of Dukes County,
 second district court of Essex,
 third district court of Essex,
 district court of eastern Franklin,
 district court of eastern Hampden,
 district court of eastern Hampshire,
 district court of Lee,
 district court of Leominster,
 district court of Marlborough,
 district court of Nantucket,
 district court of Williamstown,
 district court of Winchendon,
 first district court of eastern Worcester,
 second district court of eastern Worcester,
 second district court of southern Worcester,
 third district court of southern Worcester, and
 district court of western Worcester.

Class II.—The district court of Chicopee,
 district court of eastern Essex,
 district court of Franklin,
 district court of Natick,
 district court of Newburyport,
 district court of southern Norfolk,
 third district court of Plymouth, and
 fourth district court of Plymouth.

Class III.—The first district court of Barnstable,
 first district court of Bristol,
 fourth district court of Bristol,
 district court of Fitchburg,
 district court of western Hampden,
 district court of Hampshire,
 district court of Holyoke,
 district court of central Middlesex,
 fourth district court of eastern Middlesex,
 first district court of northern Middlesex,
 district court of Newton,
 district court of western Norfolk,
 district court of Peabody,
 second district court of Plymouth,
 first district court of northern Worcester, and
 first district court of southern Worcester.

Class IV.—The district court of central Berkshire,
 second district court of Bristol,
 third district court of Bristol,
 district court of Brockton,
 municipal court of Brookline,
 first district court of Essex,
 central district court of northern Essex,
 district court of southern Essex,
 district court of Lawrence,
 district court of Lowell,
 second district court of eastern Middlesex,
 first district court of southern Middlesex,
 district court of northern Norfolk, and
 district court of Somerville.

Class V.—The first district court of eastern Middlesex,
 third district court of eastern Middlesex,
 district court of East Norfolk,
 municipal court of the Roxbury district,
 district court of Springfield, and
 central district court of Worcester.

(2)

SALARY SCHEDULE.

COURT CLASS.	MINIMUM.	STEP 2.	STEP 3.	STEP 4.	MAXIMUM.	ANNUAL INCREMENT.
I	\$3,700	\$3,850	\$4,000	\$4,150	\$4,300	\$150
II	4,200	4,400	4,600	4,800	5,000	200
III	5,200	5,400	5,600	5,800	6,000	200
IV	7,200	7,400	7,600	7,800	8,000	200
V	9,000	9,250	9,500	9,750	10,000	250

The clerks of the first district court of eastern Middlesex, the third district court of eastern Middlesex, the district court of East Norfolk, the municipal court of the Roxbury district, the district court of Springfield, and the central district court of Worcester shall devote their entire time during ordinary business hours to their respective duties and shall not, directly or indirectly, engage in the practice of law.

SECTION 2. Said chapter 218 is hereby further amended by striking out section 80, as most recently amended by section 1 of chapter 559 of the acts of 1957, and inserting in place thereof the following section:—*Section 80.* In courts, except the municipal court of the Roxbury district, in which the salaries of clerks are established by section

seventy-nine, the salaries of first assistant clerks shall be equal to seventy-five per cent, and the salaries of all other assistant clerks shall be equal to seventy per cent, of the minimum salary of the clerks of their respective courts.

The first assistant clerks shall receive an annual step-in-range increase amounting to seventy-five per cent of the step-in-range as set forth in the salary schedule in paragraph (2) of section seventy-nine until the sum of seventy-five per cent of the maximum salary of their respective clerk is attained. All other assistant clerks shall receive a step-in-range increase amounting to seventy per cent of the step-in-range as set forth in the salary schedule in said paragraph (2) of said section seventy-nine until the sum of seventy per cent of the maximum salary of their respective clerk is attained.

SECTION 3. Chapter 738 of the acts of 1956 is hereby amended by striking out section 11, as amended by section 2 of chapter 559 of the acts of 1957, and inserting in place thereof the following section:—

Section 11. Notwithstanding any other provisions of law, the compensation grades under the classification and compensation plan for the officers and employees of Suffolk county for the clerks and assistant clerks of the district courts in Suffolk county shall be as follows:—the municipal court of the Roxbury district, first assistant clerk, compensation grade 34, assistant clerks, compensation grade 29; the municipal court of the Dorchester district, clerk, compensation grade 38, first assistant clerk, compensation grade 34, assistant clerks, compensation grade 29; and each of the other district courts in the county of Suffolk, clerks, compensation grade 35, first assistant clerks, compensation grade 30, assistant clerks, compensation grade 26. The compensation grade of the clerk of the Boston juvenile court shall be grade 34 and the compensation grade of the assistant clerk shall be grade 29.

SECTION 4. Notwithstanding the provisions of sections seventy-nine and eighty of chapter two hundred and eighteen of the General Laws and section eleven of chapter seven hundred and thirty-eight of the acts of nineteen hundred and fifty-six, as amended, the salary of a clerk, first assistant clerk or assistant clerk of any court referred to in said sections shall not be increased in any one calendar year by an amount in excess of seven hundred and fifty dollars over the amount paid the clerk, first assistant clerk or assistant clerk of such court on July first, nineteen hundred and fifty-eight, nor shall any such clerk, first assistant clerk or assistant clerk receive a salary less than that paid him as such clerk, first assistant clerk or assistant clerk on said date.

SECTION 5. In establishing the step-in-range increase for the clerks, first assistant clerks and assistant clerks under the provisions of sections seventy-nine and eighty of chapter two hundred and eighteen of the General Laws and under section eleven of chapter seven hundred and thirty-eight of the acts of nineteen hundred and fifty-six, as amended, credit shall be given for the years of service prior to the effective date of this act.

SECTION 6. Chapter 218 of the General Laws is hereby amended by striking out section 76, as most recently amended by section 1A of chapter 768 of the acts of 1951, and inserting in place thereof the following section:—*Section 76.* The salary of the justice of the

Boston juvenile court shall be ninety-nine hundred and seventy-five dollars.

SECTION 7. The first sentence of section 49 of chapter 35 of the General Laws, as most recently amended by section 10 of chapter 738 of the acts of 1956, is hereby further amended by inserting after the word "clerks", the second time it appears in line 18, the words:—of the Boston juvenile court and,—so as to read as follows:—Every office and position whereof the salary is wholly payable from the treasury of one or more counties, or from funds administered by and through county officials, excluding the offices of county commissioners, the clerk and the assistant clerks of the superior court for civil business in the county of Suffolk, the clerk and assistant clerks of the superior court for criminal business in the county of Suffolk, clerks and assistant clerks of the courts, the assistant clerk and second assistant clerk of the supreme judicial court for the county of Suffolk, the register of deeds and the assistant registers of deeds for the county of Suffolk, official stenographers, additional stenographers and temporary stenographers of the superior court in the county of Suffolk, justices and special justices of the district courts, the messenger of the superior court in the county of Suffolk, the secretary and assistant secretary of the municipal court of the city of Boston, clerks and assistant clerks of the district courts other than the clerks and assistant clerks of the Boston juvenile court and of district courts in the county of Suffolk except the municipal court of the city of Boston and the municipal court of the Roxbury district, and excluding trial justices, other offices and positions filled by appointment of the governor with the advice and consent of the council, court officers appointed in Suffolk county under section seventy of chapter two hundred and twenty-one, court officers in attendance upon the municipal court of the city of Boston, court officers in attendance upon the probate court in the county of Essex, and probation officers, but including the officer described in the first sentence of section seventy-six of said chapter two hundred and twenty-one, shall be classified by the board in the manner provided by sections forty-eight to fifty-six, inclusive, and every such office and position, now existing or hereafter established, shall be allocated by the board to its proper place in such classification.

SECTION 8. Nothing in this act shall effect any reduction in the regular compensation now being paid to the clerk and assistant clerk of the Boston juvenile court.

SECTION 9. This act shall take effect on January first, nineteen hundred and sixty.

Approved September 17, 1959.

Chap. 610. AN ACT AUTHORIZING THE REGISTRAR OF MOTOR VEHICLES TO DESIGNATE CERTAIN ENFORCEMENT PERSONNEL OF THE REGISTRY OF MOTOR VEHICLES AS SPECIAL INVESTIGATORS WITH FULL POLICE POWERS.

Be it enacted, etc., as follows:

Section 29 of chapter 90 of the General Laws is hereby amended by inserting after the fourth sentence, as appearing in chapter 557 of the acts of 1949, the following two sentences:—The registrar may

designate a supervising inspector as supervising inspector of special investigations and may assign examiners or investigators, not to exceed fifteen in number, to act as special investigators under said supervising inspector, provided that no person shall be so designated or assigned to such work unless he consents thereto. Said supervising inspector of special investigations and said special investigators shall have and exercise throughout the commonwealth all the powers of police officers and constables under any provision of law, except the power of serving and executing civil process, and may carry within the commonwealth such weapons as the registrar shall determine.

Approved September 17, 1959.

Chap. 611. AN ACT RELATIVE TO THE MANUFACTURE AND SALE OF BEDDING, UPHOLSTERED FURNITURE AND RELATED PRODUCTS AND PROVIDING FOR THE ESTABLISHMENT OF A FURNITURE AND BEDDING INSPECTION SECTION.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 94 of the General Laws is hereby amended by striking out the paragraph defining "Garnetted clippings", inserted by section 1 of chapter 581 of the acts of 1957,—the paragraph defining "Used or used material", inserted by section 3 of said chapter 581, the paragraph defining "New", as amended by section 2 of said chapter 581, the paragraph defining "Article of bedding", the paragraph defining "Previously used", "previously been used" or "been used before", and the paragraph defining "Article of upholstered furniture", as appearing in the Tercentenary Edition.

SECTION 2. Said chapter 94 is hereby further amended by striking out sections 270 to 277, inclusive, and the caption preceding said sections and inserting in place thereof the following eight sections under the caption UPHOLSTERED FURNITURE AND BEDDING:—

Section 270. The following words and phrases as used in this section and in sections two hundred and seventy-one to two hundred and seventy-seven, inclusive, which sections may be cited and referred to as the furniture and bedding inspection law, shall have the following meanings unless the context otherwise requires:—

"Annually", or any of its variants, the period beginning July first of one year and ending June thirtieth of the succeeding year, or any unexpired portion of such period.

"Bedding", includes any quilted pad, mattress pad, hammock pad, mattress, comforter, bunk quilt, sleeping bag, box spring, studio couch, pillow, cushion, or any bag or container made of leather, cloth or any other material, or any other device that is stuffed or filled in whole or in part with concealed material in addition to the structural units and filling material used therein and its container, all of which is designed or constructed for use by any human being for sleeping, resting or reclining purposes.

"Department", the department of public health.

"Division", the division of food and drugs in the department of public health.

“Filling material”, cotton, wool, kapok, feathers, down, hair, sisal, jute, glass fiber, rubber, silk, rayon, or any other material or any combination thereof, loose, carded, felted or in batting form, pads or in any other prefabricated form, concealed or not concealed, to be used or which can be used in articles of bedding or upholstered furniture.

“Garnetted clippings”, filling material intended for use in an article of upholstered furniture or bedding and composed entirely of defabricated new clippings which have never been used. Such garnetted clippings may be labeled with the word “new”.

“Inspector”, a representative of the division of food and drugs.

“Manufacturer”, a person who, either by himself or through employees or agents, makes any article of upholstered furniture or bedding in whole or in part, or who does the upholstery or covering of any structural unit thereof, using either new or secondhand material.

“New”, when used with respect to an article or material, any article or material which has not been previously used.

“Oily”, when used with respect to filling material, any filling material which contains more than five per cent of oil. Such filling material shall be designated on the label as “oily”.

“Owner’s material”, any article or material belonging to a person for his own, or tenant’s use, which is sent to a manufacturer, repairer or renovator to be repaired or renovated, or used in repairing or renovating.

“Person”, includes individuals, partnerships, associations, firms, auctioneers, trusts and corporations, and their agents, servants and employees.

“Pillow”, a bag or case of cloth or other soft material filled or stuffed with feathers, down, kapok, cotton, hair, wool, glass fiber, rubber, silk, rayon or other sanitary filling not prohibited by sections two hundred and seventy-one to two hundred and seventy-six, inclusive, to be used as a rest or support in reclining or sleeping.

“Remade” or “renovated”, when used with respect to an article of bedding or upholstered furniture, an article of bedding or upholstered furniture which has been remade or renovated and which is not to be resold or offered for resale but is to be returned to the original owner.

“Renovator”, “reupholsterer”, “remaker” or “repairer”, a person who, either by himself or through employees or agents, is engaged in the remaking or renovating of upholstered furniture, or who manufactures upholstered furniture to be sold by him as a retailer. Such person shall not be bound by any provision of this law excepting section two hundred and seventy-three; provided, however, that if he manufactures such furniture to be sold by him as a retailer, he shall also comply with the labeling provisions of section two hundred and seventy-two.

“Residence dealer”, a person who sells a new or used article of upholstered furniture or bedding from his own or any other person’s place of abode or from a salesroom which does not have an apparent and usual store entrance.

“Retailer”, a person who sells, offers or exposes for sale, or has in his possession with intent to sell, to a consumer or user an article of bedding or upholstered furniture.

“Secondhand”, “used” or “used material”, any material which has been previously used for any purpose. Manufacturing processes shall not be considered as prior use. An article of upholstered furniture returned by the purchaser for exchange, alteration or correction within thirty days from date of delivery after original sale at retail shall be deemed to be a new article; but after thirty days from date of such delivery, such article shall be deemed to be secondhand. Any article of upholstered furniture or bedding shall be deemed secondhand if it contains any secondhand material, in whole or in part.

“Sell”, sell, offer or expose for sale, barter, trade, deliver, give away, rent, consign, lease, possess with an intent to sell or dispose of in any other commercial manner.

“Sterilizer”, a person licensed by the department to sterilize any upholstered furniture or bedding and filling material or component parts thereof.

“Supply dealer”, a person licensed by the department to manufacture, process or sell at wholesale any felt, batting, pads or other filling, loose, in bags, in bales, or in containers, concealed or not concealed, to be used or which can be used in articles of bedding or upholstered furniture.

“Upholstered furniture”, any furniture, including children’s furniture, movable or stationary which (a) is made or sold with cushions or pillows, loose or attached; or (b) is itself stuffed or filled, in whole or in part, with any material, hidden or concealed by fabric or any other covering, including cushions or pillows belonging to or forming part thereof, together with the structural units, the filling material and its covering and its container, which can be used as a support for the body of a human being, or his limbs and feet when sitting or resting in an upright or reclining position.

“Upholstery jobber”, a person whose primary business is the wholesaling of fabrics used in the reupholstery trade. Such a person may also sell the basic supplies used in the trade, including new filling materials purchased from a licensed supply dealer. An upholstery jobber shall be excluded from the licensing provisions of this law.

Section 271. Except as otherwise provided, any person who advertises, solicits or contracts to manufacture upholstered furniture or bedding and who either does the work himself or has others do it for him, shall obtain the license required by this section for the particular type of work which he solicits or advertises he will do, regardless of whether he has a shop or factory.

Every person manufacturing upholstered furniture or bedding shall annually obtain a manufacturer’s license from the department bearing a serial number assigned by the department, except as otherwise provided.

A wholesaler of upholstered furniture or bedding shall annually obtain a wholesale dealer’s license from the department, unless he holds a manufacturer’s license.

Every person manufacturing, processing or selling at wholesale any felt or batting or any pads or loose material in bags, bales or containers

intended for use as filling material in bedding or upholstered furniture shall annually obtain a supply dealer's license from the department bearing a serial number assigned by it, unless he holds a manufacturer's license.

Any person who sells directly or indirectly to any person, either at wholesale or retail, any merchandise subject to this law by means of a catalog, or in any other manner, shall comply with this law.

Every person doing business at the same address under more than one firm name shall be subject to the licensing provisions of this section for each firm name.

Such manufacturers, wholesale dealers and supply dealers located outside the commonwealth, who ship their products into the commonwealth, shall first obtain a license from the department.

The department shall prescribe the procedure relative to:—

(a) Assignment or reassignment of serial numbers.

(b) Transfer of licenses between persons, where such transfer is effected through rent, lease or sale of the business.

(c) Change in name, ownership, address or of license classification.

The director of the division, after a hearing, and with the advice and consent of a majority of the advisory board, may (1) revoke or suspend for violation of any provision of this law, the license of any person located outside the commonwealth who ships his products into the commonwealth and (2) suspend or refuse to renew, for a period of not more than six months, for any two violations of any provision of this law within a period of twelve months committed not less than thirty days apart, the license of any other person.

No person required to have a license under the provisions of this section, shall manufacture, sell, offer or expose for sale, have in his possession with intent to sell, repair, remake, or renovate any article of bedding or filling material without first obtaining such a license. No dealer or distributor shall sell, or purchase for purposes of sale, an article of bedding or an article of upholstered furniture from a manufacturer or wholesale dealer who is not duly licensed or whose license has been revoked.

This section shall not apply to upholstered furniture or articles of bedding sold by an officer or other person by order of the court.

Section 272. No person shall manufacture or sell at wholesale or retail or otherwise, directly or indirectly, make, repair, renovate or offer or expose for sale, or have in his possession with intent to sell, any article of new or secondhand upholstered furniture or bedding which can be used by human beings, if it is made of any new or second-hand material which is hidden or concealed by fabric or any other covering, unless such article is plainly labeled as provided in this law, and prescribed by the department.

No person shall, at wholesale or retail or otherwise, directly or indirectly, sell or have in his possession with intent to sell any filling material or other component parts to be used or which can be used in upholstered furniture or bedding, unless such material is plainly labeled with a tag or other marking as provided in this law and prescribed by the department.

No person shall, directly or indirectly, sell in this commonwealth, at wholesale or retail, any article of upholstered furniture or bedding,

or any filling material or other component part to be used or which can be used in upholstered furniture or bedding manufactured out of the commonwealth, unless it is labeled in accordance with the provisions of this law and fully complies with all the requirements of this law.

All labels required by this law shall be securely attached to the article during the process of manufacture at the factory. Such labels shall be fixed in such position that they may be conveniently examined and shall be in accordance with the rules and regulations pertaining to labeling promulgated under authority of this law.

For the purposes of this section, possession of any article of bedding or of upholstered furniture or of any filling material not labeled as provided herein, by any person engaged in the business of manufacturing, selling or offering for sale any such article shall be prima facie evidence that such article is being manufactured, repaired, renovated or is offered or exposed for sale in violation of the provisions of this section.

The label shall show or state:—

(a) Whether the concealed materials are new or secondhand. If the materials are wholly new, the heading shall read "All New Material". If the materials are in whole or in part secondhand, the heading shall read "Secondhand Material".

(b) An accurate description of the kind of material used for filling including an accurate statement as to the percentage of the components of said filling material in accordance with the regulations of the department. In the case of feathers and down and mixtures thereof or articles containing such mixtures, the label shall specify the kind of fowl from which feathers and down were obtained and the physical condition of such feathers and down. In the case of mattresses or upholstered furniture containing hair, the label shall specify the animal source of such hair. In all regulations requiring percentages to be specified upon the label, the department may include generally accepted tolerances.

(c) If sterilized, the statement "Contents Sterilized".

(d) The serial number of the manufacturer, assigned by the department.

Every person who repairs or renovates bedding, for any owner or customer or for his own or tenant's use, upon receiving each article for such repair or renovation, shall immediately securely affix a tag of identification showing the owner's or dealer's name, address and date upon which it was received, and when completed, shall attach the "Owner's Material" label prescribed by the department.

The department is hereby authorized to prescribe the wording, form style, size, material, lettering, tolerances, requirements or any changes on labels in order to carry out the provisions of this law.

The department may issue regulations permitting reciprocity of registration or permit numbers with such states having such a requirement.

It shall be a violation of this law to use in the description on any label any false or misleading term or designation, or term or designation likely to mislead.

Every person, except the purchaser for his own use, or an inspector in the performance of his duties under this law, who attempts to remove, or does remove, deface, alter, or causes to be removed, the label or any mark or statement placed upon any upholstered furniture or bedding under the provisions of this law shall be guilty of a violation of this law.

No person shall manufacture for purposes of sale, sell, offer or expose for sale, or have in his possession with intent to sell, any article of bedding, consisting in part of metal which has previously been used, or any upholstered spring bed, box spring, studio couch, davenport, day bed, bed spring, metal bed, metal folding bed, metal couch, metal cradle, metal bassinet or similar article designed for the use of persons when sleeping or reclining, consisting in whole or in part of metal which has previously been used, unless such article is plainly and permanently marked or tagged "Secondhand metal used in this article" and unless, if any such article is enclosed in a bale, box, crate or other receptacle, there shall be plainly marked upon such receptacle, or upon a tag securely attached thereto, a statement that the contents of such receptacle are marked as herein required. In the case of springs which have not previously been used, said springs shall be labeled as "New Material".

Section 273. No person shall engage in the business of sterilizing articles or filling materials referred to in sections two hundred and seventy to two hundred and seventy-six, inclusive, without first obtaining a license from the department.

Every such person shall apply for a license and set forth the place where the sterilizer's apparatus will be located, the type and kind of equipment to be used, the names and addresses of the true owners of the sterilizing establishment and such other data as the department may from time to time require.

The department shall cause an investigation to be made and if it is satisfied that the apparatus will comply with the regulations of the department made pursuant to sections two hundred and seventy to two hundred and seventy-six, inclusive, the license shall be issued.

Inspection shall be made from time to time to determine whether the sterilizer is fully and faithfully complying with all of the provisions of this law and with the regulations promulgated by the department with respect to sterilization.

No person shall use any material to make any article of bedding or upholstered furniture for sale that is made from material

- (a) that comes from an animal or fowl,
 - (b) that contains any bugs, vermin, insects or filth,
 - (c) that is unsanitary,
 - (d) that contains burlap or other material which has been used for balings, or
 - (e) any secondhand filling material,
- unless such material has been thoroughly sterilized by a process approved by the department.

Every article of upholstered furniture or bedding from any private or public hospital, jail or other institution or which has been used by any person suffering from an infectious or contagious disease, shall be sterilized before it is repaired or renovated.

New or sterilized articles of upholstered furniture or bedding or materials shall at all times be kept separate from any secondhand articles or materials that are unsterilized.

Secondhand upholstered furniture or bedding, or secondhand filling materials or other component parts to be used or which can be used in upholstered furniture or bedding, received from outside of this commonwealth shall comply with all the sterilization provisions of sections two hundred and seventy to two hundred and seventy-six, inclusive, before it is accepted, sold or delivered, either directly or indirectly by any person.

All secondhand mattresses, if intended for resale, shall be sterilized as required by sections two hundred and seventy to two hundred and seventy-six, inclusive.

A person engaged in the business of renting articles of bedding shall cause such articles of bedding to be sterilized before being returned to use.

Section 274. The department is authorized to establish and promulgate all rules and regulations, including those pertaining to labeling and sterilization, necessary to carry out the provisions of sections two hundred and seventy to two hundred and seventy-six, inclusive. The department is further authorized to establish further definitions for filling material.

There shall be within the department an advisory board consisting of seven members to be appointed by the governor, with the advice and consent of the council, and upon the recommendation of the department. Two of said members shall be designated in their original appointments to serve for one year, two for two years and three for three years. Upon the expiration of the term of a member, his successor shall be appointed in the manner aforesaid for three years. Such persons shall be recommended by the department on the basis of their qualifications, as determined by their business and civic interests and affiliations, to represent both the industry and the consumer.

Members of the advisory board shall serve without compensation, and shall meet quarterly and at other times at the discretion of the chairman. They shall receive their necessary travel and other expenses when engaged in the work of the board.

The director of the division directly responsible for the enforcement of this law shall appoint a chairman of the advisory board and shall designate an employee of the division to be secretary.

The board shall:—

(a) Act entirely in an advisory capacity, except as provided in section two hundred and seventy-one. A majority of the members of the board present and voting shall constitute the basis for an official action or recommendation of said board.

(b) Consider all matters submitted to it by the director.

(c) On its own initiative recommend to the department such rules and regulations and any changes thereon which the advisory board may deem important and necessary.

(d) Co-operate in the preparation of rules and regulations supplemental to the provisions of this law.

Section 275. The application for each license and annual license renewal shall be accompanied by a fee of fifty dollars payable to the commonwealth of Massachusetts, which fee shall be returned to the applicant if the license is not granted.

Section 276. The inspector shall have access to any premises in which is kept or stored any article of bedding, upholstered furniture or filling material regulated by this law. He may inspect on the premises any materials intended for the manufacture of upholstered furniture or bedding, partly finished and finished articles of upholstered furniture and bedding, and may open such articles, including pillows or cushions belonging to or forming part thereof, for the purpose of inspecting concealed filling material and may take either the entire article or filling material in such quantities as he may deem necessary for analysis. This section shall not apply to antique furniture.

The inspector may seize, order destroyed or order off-sale any article of bedding or upholstered furniture or filling material which has been contaminated in any way, including but not limited to fire, water, flood, obnoxious odors or radiation which cannot in the opinion of the division be properly processed so as to be safe and sanitary if used. Said material shall be destroyed or salvaged in accordance with the directions set forth by the division, so that said contamination may be rendered safe and sanitary.

The inspector may order off-sale, and may so tag, any article of bedding or upholstered furniture or material therefor which is not tagged as required by section two hundred and seventy-two or which is tagged with a tag bearing a misleading term, description, designation or statement. The inspector may tag as being unfit any article or material damaged or found unfit from any cause.

No articles or materials placed off-sale or declared to be unfit by the inspector shall be sold nor shall the contents thereof be altered, interfered with, or removed in whole or in part, nor shall the articles or contents thereof be removed or permitted to be removed from the premises when placed off-sale until such articles or materials are released by the inspector. The inspector shall release such articles or materials upon the completion of corrective measures taken to effect compliance with this law. All articles placed off-sale or removed shall be subject to examination by the inspector and shall be so placed or stored so as to be readily accessible at all times and shall be produced for examination upon demand by any such inspector made upon the person or persons in charge of the establishment or premises where such articles or materials are placed off-sale.

Samples of filling material shall be taken by opening the seam of the article at a point where it may be resealed with a minimum of difficulty and where it will not affect the quality of the article, if possible.

The off-sale tag to be affixed by an inspector in accordance with the provisions of this section to any article of suspected upholstered furniture or bedding or any filling material shall be a red tag and shall contain such information as may be required by the department. It shall be removed upon proof that the provisions of sections two hun-

dred and seventy to two hundred and seventy-six, inclusive, have been complied with.

Any person who removes, or causes to be removed, any tag or device placed by an inspector upon any article of upholstered furniture or bedding or any material shall be guilty of a violation of this law.

No person shall interfere with, obstruct or otherwise hinder, any inspector of the department in the performance of his duties.

Any police officer, member of any local board of health, or other town official, who has reason to believe that any provision of sections two hundred and seventy to two hundred and seventy-six, inclusive, has been or is being violated, shall give notice to the department.

The director or any inspector may cite any person engaged in manufacturing, repairing, renovating, sterilizing or selling any upholstered furniture or bedding materials intended to be used, or which can be used, in its manufacture, repair or renovation, to a hearing to show cause why he should not be subject to disciplinary action or prosecution for any act or omission in violation of sections two hundred and seventy to two hundred and seventy-six, inclusive.

Section 277. Whoever violates any provision of sections two hundred and seventy to two hundred and seventy-six, inclusive, shall be punished by a fine of not less than twenty-five dollars nor more than five hundred dollars or by imprisonment for not more than six months, or both. Any person convicted of a violation of any rule or regulation made under authority of section two hundred and seventy-four shall be punished by a fine of not more than one hundred dollars, as provided in the rule or regulation.

SECTION 3. Section 4 of chapter 17 of the General Laws is hereby amended by striking out the second paragraph, as appearing in section 1 of chapter 612 of the acts of 1958, and inserting in place thereof the following paragraph:—

There shall be within the division of food and drugs a furniture and bedding inspection section, a drugs control section and such other sections as the director, with the approval of the department, may from time to time determine.

SECTION 4. If any of the provisions of this act are determined to be unconstitutional, all the remaining provisions shall continue in full force and effect.

Approved September 17, 1959.

Chap. 612. AN ACT REVISING THE BASIS FOR APPORTIONMENT OF COSTS OF CONSTRUCTION AND OPERATION OF THE SEWERAGE SYSTEM OF THE METROPOLITAN DISTRICT COMMISSION.

Be it enacted, etc., as follows:

SECTION 1. Chapter 10 of the General Laws is hereby amended by striking out section 11, as most recently amended by section 2 of chapter 292 of the acts of 1945, and inserting in place thereof the following section:—*Section 11.* He shall annually as soon after the prorogation of the general court as is practicable, publish a statement showing the assessments for interest, principal, and maintenance requirements due from towns in the metropolitan sewerage, parks and water districts; a statement showing the several classes of debts incurred for

metropolitan district purposes, and the share of the towns in the several districts as measured by the basis used in computing the assessments mentioned in the first statement; and such other statements, if any, as he may deem advisable. The expense of printing shall be apportioned and paid in equal parts from the maintenance fund of the sewerage, parks and water districts.

SECTION 2. Chapter 92 of the General Laws is hereby amended by striking out section 1 and the caption preceding it and inserting in place thereof the following two sections under the caption Metropolitan Sewerage District:—*Section 1.* The metropolitan district commission, in this chapter called the commission, shall construct, maintain and operate such main sewers and other works as shall be required for a system of sewage disposal for Arlington, Belmont, Boston, Braintree, Brookline, Cambridge, Canton, Chelsea, Dedham, Everett, Framingham, the north sewer district of Hingham, Lexington, Malden, Medford, Melrose, Milton, Natick, Needham, Newton, Norwood, Quincy, Randolph, Reading, Revere, Somerville, Stoughton, Stoneham, Wakefield, Walpole, Waltham, Watertown, Wellesley, Westwood, Weymouth, Wilmington, Winchester, Winthrop and Woburn known as the metropolitan sewerage district. The commission may in addition contract with any city or town for the extension thereto of said system of sewage disposal and for the reception and disposal of the sewage therefrom. The commission may also contract with any city or town for the admission of said city or town to said sewerage district and may contract with any city or town for the use of a part of the metropolitan system as a municipal sewer. The commission may also contract with any city or town for the acquisition of the local sewer to become a part of the metropolitan system.

Section 1A. On or before October first of each year the commission shall submit to the officials of the cities and towns in the metropolitan sewerage district a statement of the finances of the district which shall include: (1) a report of the previous fiscal year showing the expenditures for maintenance and operation of the system, for debt service, and for improvements; (2) a statement of the debt outstanding at the end of the previous fiscal year; (3) the requirements for principal and interest on said debt in the current and following fiscal years; (4) a statement indicating the unexpended balance of funds previously appropriated or authorized to be expended for improvements or extensions of the sewerage system; and (5) a statement indicating the amounts which the commission deems to be required for improvements or extensions during the succeeding fiscal year.

On or before November first of each year the commission shall hold a public hearing on the subject of proposed improvements or extensions of the sewerage system.

No change in the ratios of apportionment of debt service or maintenance costs shall be approved by the commission unless the proposed revised schedule has first been submitted to each city and town served by the sewerage system. The commission shall hold a public hearing on such change.

No apportionment of the expense of construction of an extension of the sewerage system or of a relief sewer under the provisions of section five B shall be established by the commission unless notice of

the proposed apportionment has first been given to each city or town served by the sewerage system. The commission shall hold a public hearing thereon.

Notice of any public hearing required by this section shall be given not less than fourteen days prior to the date of such hearing to the city or town manager, if any, of each city or town named in section one and of any other city or town affected; otherwise to the mayor or board of selectmen of each such city or town.

SECTION 3. Said chapter 92 is hereby further amended by striking out sections 5 and 6, as appearing in the Tercentenary Edition, and inserting in place thereof the following four sections:—

Section 5. Each of the cities and towns belonging in whole or in part to the metropolitan sewerage district shall annually pay money to the commonwealth to meet interest and principal requirements for each fiscal year on debt for sewers and sewerage works authorized prior to December thirty-first, nineteen hundred and fifty-eight, on any debt incurred after January first, nineteen hundred and fifty-nine for the completion of construction authorized by chapter six hundred and forty-five of the acts of nineteen hundred and fifty-one as amended, and for any additional debt incurred for the construction of disposal works, as estimated by the state treasurer, and to meet any deficiency in the amount previously paid in, as found by him.

The proportion to be paid by each city and town of the total annual amount shall be determined by dividing the aggregate capacity of municipal sewers of each city and town connected to sewers operated by the commission by the total capacity of all municipal sewers connected to district sewers provided, however, that in no case shall the aggregate capacity of any municipal sewer used in the determination of such ratio be greater than the pro-rated capacity of the district sewer at the point of such connection. At every point on the metropolitan sewerage system at which the capacity of the main sewer is less than the aggregate capacity of the sewers converging at that point, the available capacity of the main sewer shall be apportioned among the two or more lines converging at such point in proportion to the capacities of such converging lines.

Section 5A. Not later than September first in the year nineteen hundred and sixty and in every fifth year thereafter, the commission shall establish the proportion in which each of the cities and towns served by said system shall annually pay money to the commonwealth to meet interest and principal requirements to be borne by all cities and towns served by the metropolitan sewerage system, as provided in section five; provided, however, that no changes shall be made in the proportions established in the year nineteen hundred and sixty except such as are occasioned by construction and connections authorized by law after January first, nineteen hundred and sixty or authorized by the commission under section two. The commission shall annually, not later than October first, certify to the state treasurer the proportion of annual requirements for principal and interest to be paid by each city and town served by said system.

Section 5B. The cost of construction of extensions of the metropolitan district sewerage system to provide service for additional cities

or towns or to provide additional service for one or more cities and towns, or for relief sewers, shall be paid by the cities and towns benefited by such construction. The annual amounts required to meet payments of principal and interest on debt incurred to finance such construction as estimated by the state treasurer, and to meet any deficiencies in the amount previously paid in, shall be apportioned among such benefited cities and towns in proportion to the additional capacity thereby made available to said cities and towns by such construction. The proportion to be paid by each city and town benefited shall be established by law; provided, however, that if such proportions are not so established they shall be determined by the commission. The commission shall annually not later than October first certify to the state treasurer the proportion of such principal and interest to be paid by each such city or town.

Section 6. The proportions in which each of the cities and towns belonging in whole or in part to said sewerage district shall annually pay money into the treasury of the commonwealth to meet the cost of maintenance and operation of the sewerage system, shall be based upon the respective populations of said cities and towns as ascertained by the last preceding state or national census. If less than the whole area of any town is included in said metropolitan sewerage district, the population only of that part of the town included in said district, as determined by the commission, shall be used as a basis for determining the proportion and amount which it shall pay as its share of the cost of maintenance and operation of works. The commission shall annually, not later than October first, certify to the state treasurer the amount expended for the maintenance and operation of the metropolitan district sewerage system in the preceding fiscal year and the proportions to be paid by each city and town as provided in this section.

SECTION 4. Said chapter 92 is hereby further amended by striking out section 59A, as amended by section 8 of chapter 432 of the acts of 1946, and inserting in place thereof the following section:—*Section 59A.* Annual assessments for maintenance made in any year upon the cities and towns of each of the metropolitan districts referred to in this chapter, other than the metropolitan sewerage district, shall be payable on November twentieth of such year and shall be based upon seven twelfths of the appropriations for such district for the fiscal year ending with the preceding June thirtieth and five twelfths of such appropriations for the fiscal year immediately following said June thirtieth. Annual assessments to meet the interest, sinking fund and serial or other bond requirements on account of each of such districts other than the metropolitan sewerage district for any year shall be payable on November twentieth of such year and shall be made for the twelve-month period ending November thirtieth of such year, except that annual assessments to meet such serial or other bond requirements on bonds other than those issued under chapter three hundred and twenty-one of the acts of nineteen hundred and twenty-seven, or any amendment thereof or addition thereto, shall be made for the twelve-month period ending January second of the following year.

SECTION 5. In determining the proportion in which the several cities and towns served by the metropolitan sewerage system shall pay money to the commonwealth to meet interest and principal requirements in the year nineteen hundred and sixty the commission, in discharging duties imposed on it by section five A of chapter ninety-two of the General Laws, inserted by section three of this act, shall adopt the following apportionment:—

<i>Cities and Towns</i>	<i>Percent</i>	<i>Cities and Towns</i>	<i>Percent</i>
Arlington	1.85	Norwood	0.81
Belmont	1.18	Quincy	5.47
Boston	36.18	Randolph	0.62
Braintree	1.59	Reading	0.47
Brookline	3.42	Revere	1.16
Cambridge	8.71	Somerville	2.51
Canton	0.42	Stoneham	0.91
Chelsea	2.91	Stoughton	0.17
Dedham	1.42	Wakefield	0.40
Everett	1.14	Walpole	0.26
Framingham	0.16	Waltham	1.33
Hingham (No. Dist.)	0.43	Watertown	1.21
Lexington	0.23	Wellesley	0.04
Malden	1.26	Westwood	0.78
Medford	4.38	Weymouth	1.22
Melrose	0.46	Wilmington	0.56
Milton	4.74	Winchester	2.99
Natick	0.14	Winthrop	0.99
Needham	0.08	Woburn	1.66
Newton	5.74		

SECTION 6. In the calendar year nineteen hundred and sixty the state treasurer shall include in his warrants as provided in section twenty of chapter fifty-nine of the General Laws the amounts due to the commonwealth for all charges for maintenance, operation, interest and principal expended by the commonwealth in the fiscal year which ended on June thirtieth, nineteen hundred and sixty not met by previous assessments, and in addition thereto the amount required to meet principal and interest on debt of the metropolitan sewerage district in the then current state fiscal year and thereafter in each year the treasurer shall include in his warrants payable on or before November twentieth in each year as required by said section twenty, the amounts expended by the commonwealth for maintenance and operation in the next prior fiscal year and for principal and interest on indebtedness of the metropolitan sewerage district in the then current state fiscal year.

SECTION 7. If on November first, nineteen hundred and sixty the metropolitan district commission has not certified to the town of Westwood that the work provided for in chapter seven hundred and sixty-four of the acts of nineteen hundred and fifty-seven has been completed as provided in said act, the amount which would be apportioned to the town of Westwood under chapter ninety-two of the General Laws as amended by sections two, three and four of this act for inter-

est, principal and maintenance for the metropolitan sewerage district in the year nineteen hundred and sixty or under the provisions of section five of this act for interest and principal requirements for the year nineteen hundred and sixty, shall be divided among all other cities and towns in the sewerage district.

SECTION 8. If on November first, nineteen hundred and sixty the metropolitan district commission has not certified to the town of Wilmington that the work provided for in chapter three hundred and ninety-nine of the acts of nineteen hundred and fifty-four has been completed as provided in said act, the amount which would be apportioned to the town of Wilmington as provided in chapter ninety-two of the General Laws as amended by sections two, three and four of this act for interest, principal and maintenance costs of the metropolitan sewerage district in the year nineteen hundred and sixty or under the provisions of section five of this act for interest and principal requirements for the year nineteen hundred and sixty, shall be divided among all other cities and towns in the metropolitan sewerage district.

SECTION 9. If on any November first the Boston main drainage district has not been connected to sewers operated by the metropolitan sewerage district, fifty-two percent of the amount which would be apportioned to the city of Boston, under chapter ninety-two of the General Laws as amended by sections two, three and four of this act for interest and principal shall be divided among all other cities and towns in the sewerage district, and only such portion of the area of the city of Boston as is presently served by the metropolitan sewerage system shall be considered to be a part of the metropolitan sewerage district in the apportionment of the cost of maintenance and operation as provided in section six of chapter ninety-two of the General Laws as amended by section three of this act.

SECTION 10. This act shall take effect on January first, nineteen hundred and sixty.

Approved September 17, 1959.

Chap. 613. AN ACT TO MAKE CERTAIN APPROPRIATIONS AVAILABLE TO ENLARGE THE MASSACHUSETTS CORRECTIONAL INSTITUTION AT PLYMOUTH.

Be it enacted, etc., as follows:

Item 8356-40 of section 2 of chapter 738 of the acts of 1955 is hereby amended by striking out the words "For the construction of three prison camps in accordance with section eighty-three A of chapter one hundred and twenty-seven, including the cost of furnishing and equipment" and inserting in place thereof the words:—

For the enlargement, by new construction and remodelling, of the Massachusetts Correctional Institution, Plymouth, and the construction of one or more prison camps in accordance with section eighty-three A of chapter one hundred and twenty-seven of the General Laws, including the cost of furnishings and equipment.

Approved September 17, 1959.

Chap. 614. AN ACT ESTABLISHING SAFETY ORDERS APPLICABLE TO LONGSHORE AND WATERFRONT OPERATIONS.

Be it enacted, etc., as follows:

Chapter 149 of the General Laws is hereby amended by inserting after section 18, under the caption SAFETY ORDERS APPLICABLE TO LONGSHORE AND WATERFRONT OPERATIONS, —the following sections:—

Section 18A. Employers shall provide a change room with adequate storage facilities for clothes, shower baths and lavatories having hot and cold water, in every place of employment where the lack of such facilities would be harmful to health.

Every place of employment (dock, wharf, etc.), shall be provided with a sufficient number of water closets for the use of employees. Toilets shall be kept clean and supplied with an adequate supply of toilet paper.

Working areas, docks, stairways, etc., shall be provided with illumination which is adequate and suitable to secure the safety of employees.

Whenever harmful dusts, fumes, mists, vapors or gases exist in quantities harmful to employees, and the elimination of such hazards is not practicable, such hazards shall be controlled by ventilation or other means.

When it is impracticable to comply with the above requirement, the employer shall provide, and the employee exposed to such hazards shall use, approved respiratory protective equipment. This equipment shall be kept in sanitary condition.

Permanent floors, platforms, dock working areas, aisles and passageways shall be kept reasonably clear and in good repair. Where, due to lack of proper marking, aisles and passageways become hazardous, they shall be clearly defined by painted lines, curbs or other methods of marking. Where there is danger of slipping on these working areas, they shall be protected by the use of mats, cleats, high-friction surfaces or other equivalent protection.

The maximum weight of materials stored on building floors, load-carrying platforms or dock areas shall not exceed their safe-carrying. Material, wherever stored, shall be piled, stacked or racked in a manner designed to prevent it from tipping, falling, collapsing, rolling or spreading.

Hand tools and hand trucks shall be maintained in a safe condition. Unsafe tools or trucks shall not be used. Where there is danger of a portable ladder slipping in use, provision shall be made to secure the ladder in position by use of hooks, ropes, scabs, spikes, cleats or by other antislip devices, or by stationing an employee at the base of the ladder to hold it in position during use.

Ladders shall be maintained in good condition.

Ladders shall be faced, and both hands used, while ascending or descending.

Platforms, runways, ramps or other working areas four feet or more above the floor, ground or other working areas shall be guarded by a standard railing on all open sides, with the exception of open sides of loading or storage platforms which are used primarily for loading or unloading railroad cars or trucks, and open sides of storage platforms

less than four feet wide, or portions thereof, which are loaded and unloaded exclusively by means of stackers or lift trucks handling pallet-supported loads.

Adequate and substantial bull rails, stringer rails or curbs shall be installed at the water side of all flush aprons on wharves, docks or piers.

The employer shall require that tools, machinery, gear and other equipment subject to wear be inspected at regular intervals and unsafe conditions corrected. If found to be defective or otherwise unsafe, employees shall report same to the person in charge of work, who shall have it discarded, marked and so placed that it cannot be used again until made safe.

Section 18B. Before allowing employees to enter confined spaces where flammable, poisonous, asphyxiant, suffocant or anesthetic vapors, gases or dusts are likely to exist, the area shall be made free of the hazardous substance; employees shall be advised of the hazard; adequate ventilation shall be provided; and proper respiratory equipment shall be provided where necessary.

Section 18C. Power transmission equipment (such as gears, belts, pulleys, sprockets, etc.) shall be enclosed or guarded in a manner that will prevent accidental injury to workers.

Prime movers, machinery and equipment shall not be cleaned, adjusted or repaired while in motion. When, due to the process, it is not possible to shut down the machinery, extension swabs, brushes, scrapers or other extended tools shall be used to minimize employee hazards. Where the machine is equipped with lockable controls, the control shall be locked in the "off" position. Caution signs shall be placed on the controls of the machines during repair work.

Section 18D. All chains, wire ropes and fiber ropes shall be of sufficient strength to safely lift or otherwise handle the loads.

The use of deformed hooks or rings shall be discontinued.

All hooks, slings, bridles and fittings shall be of the correct size for the work to be done, and shall have sufficient strength to sustain the loads imposed upon them. Wire bridles shall have a covering of marlin, rubber hose or other suitable material for the protection of the employee's hands at the splice.

A crane, derrick, hoist or winch shall not be loaded beyond the rated capacity or safe working load, whichever is smaller.

The load shall be attached to the hook by means of slings or other suitable effective means, which shall be properly rigged to insure the safe handling of the load. Slings shall be free of kinks or twists before use.

No employee shall be required to or shall ride on loads, slings, hooks, buckets or skip boxes, except under conditions or exception covered by other orders of the division.

Operator shall never leave crane, hoist, derrick or winch while load is suspended unless the load is suspended over water or a barricaded area, or is blocked up or otherwise supported from below during repair or emergency.

Only qualified employees shall give signals. No one should give signals except employees who are specifically designated and authorized to do so by the employer. Operators shall not accept signals

except from those specifically designated and authorized to give same.

Section 18E. Persons working in locations where there is a hazard to the head or eyes shall be safeguarded by means of head or eye protection.

Protection may be required for persons working under conditions where there is a hazard to the body, hands or feet.

Safety belts shall be of approved type. Lifelines shall be of strength equivalent to one-half inch manila rope.

At least two life buoys or life rings with appropriate lines attached shall be kept in conveniently accessible places where employees' work exposes them to the hazard of drowning, or each employee so exposed shall wear a life vest. Life vests may be required for workers who are in constant and imminent danger of drowning.

Readily located ladders shall be provided on all docks, wharves or piers where employees' work exposes them to the hazard of drowning. The ladders shall reach from the floor of the structure to the lowest water elevation. Portable ladders shall be equipped with a substantial means to readily secure them to the structure.

Section 18F. Explosives and other dangerous articles and substances shall be loaded, unloaded, stored, transported or otherwise handled in accordance with United States Coast Guard regulations.

Section 18G. Every industrial truck (lift truck or jitney) and tractor, except those guided or controlled by a walking operator shall be equipped with a clearly audible horn or other warning device.

Every industrial truck (lift truck or jitney) operated from an end platform shall be equipped with a substantial guard to protect the operator. This guard should allow the operator quick and easy access to and from his operating position.

The division may require every high-lift truck (lift jitney) to be provided with a canopy guard which will protect the operator from falling objects.

Every high-lift industrial truck (lift jitney) handling small objects or unstable loads shall be equipped with a vertical back rest or back guard at the rear of the load platform. This does not apply to lift trucks equipped with canopy guards in compliance with preceding paragraph.

Every dock or car plate shall be constructed to support its load. It shall be safely secured in position and shall provide rigid security over its span. The end edges of the plate shall be in substantial contact with the dock or loading platform and the vehicle bed in a manner that will prevent rocking or sliding. Adequate and safe means shall be provided for moving plates.

Pallets shall be constructed and maintained with strength adequate for the loads being handled. They shall be kept in good repair. Pallets upon which employees customarily walk shall have no surface opening in excess of two inches in width.

Internal combustion engine-driven equipment shall not be operated inside of buildings or enclosed structures, if such operation would result in harmful exposure to concentrations of dangerous gases or fumes in excess of maximum acceptable concentrations. Exhaust pipes shall be installed in such a manner that the exhaust products shall be discharged so as not to be a hazard to the operator.

The rated capacity of all high-lift trucks (lift jitneys) shall be displayed at all times on the vehicle so that it is readily visible to the operator. They shall not be loaded beyond their rated capacity. Counterweights may be added to increase lifting capacity, provided they do not impair the stability of the vehicle or stress any of the structural members beyond a safe limit.

Every employer shall promulgate, post and enforce a set of operating rules. These rules shall govern the control, operation and maintenance of all industrial trucks.

Refueling of internal combustion engine fuel tanks shall be done in designated areas. Suitable and adequate gasoline pumps shall be used. Gasoline shall not be handled in open containers. Motors shall be stopped and no source of ignition shall be permitted in the vicinity of the refueling operation. Federal and local regulations shall be enforced.

Before operating any truck, drivers shall check the vehicle and if it is found to be in any way unsafe, it shall be reported to the proper authority and shall not be operated until it has been made safe. Brakes shall be tested on starting each trip.

Section 18II. The employer shall provide blue stop signs for use by day and blue lights if night work is necessary, and shall cause them to be displayed before employees are permitted to work in, upon or under any standing railroad car or cars under conditions where unanticipated movement of such car or cars might endanger employees or equipment. The blue signals shall bear the word STOP in white letters not less than four inches in height on a blue background, and shall be placed on the track in a clear and unobstructed place. The signs shall be not less than twelve inches by fifteen inches in size. The signals shall be placed at a height of three to five feet, and not less than ten feet from either or both ends of the cars, as necessary to provide protection. The blue stop signals shall be placed and removed by one of the employees working in and about the cars. This employee shall be selected, instructed and directed by the employer in the safe procedures involved in placing and removing the blue stop signals.

Section 18I. Any person violating any provision of the preceding sections eighteen A, eighteen B, eighteen C, eighteen D, eighteen E, eighteen F, eighteen G and eighteen H shall be punished by a fine of two hundred dollars.

Approved September 17, 1959.

Chap. 615. AN ACT FURTHER DEFINING THE DUTIES OF CERTAIN PERSONNEL ASSIGNED TO CENTER FOR THE CARE, CUSTODY, TREATMENT AND REHABILITATION OF SEXUALLY DANGEROUS PERSONS.

Be it enacted, etc., as follows:

Chapter 123A of the General Laws is hereby amended by striking out section 2, as appearing in section 1 of chapter 646 of the acts of 1958, and inserting in place thereof the following section:—*Section 2.* The commissioner of mental health shall establish and maintain, subject to the jurisdiction of the department of mental health, a treatment center, hereinafter in this chapter called the center, at a correctional

institution approved by the commissioner of correction, for the care, custody, treatment and rehabilitation of persons described in section one. The commissioner of correction shall appoint such custodial personnel as may be required for such center. Such custodial personnel shall be subject to the control of the commissioner of mental health with respect to the care, treatment and rehabilitation of persons in their custody, but shall at all times be under the administrative, operational and disciplinary control of the commissioner of correction. The commissioner of mental health shall appoint to such center, in addition to the personnel appointed by the commissioner of correction, adequate personnel for the care, treatment and rehabilitation of such persons committed to their care. *Approved September 17, 1959.*

Chap. 616. AN ACT AUTHORIZING THE GRAND LODGE OF MASSACHUSETTS ORDER SONS OF ITALY IN AMERICA TO PROVIDE FOR THE PAYMENT OF HOSPITAL AND MEDICAL SERVICES AND EXPENSES FOR THE BENEFIT OF ITS MEMBERS.

Be it enacted, etc., as follows:

The Grand Lodge of Massachusetts Order Sons of Italy in America, as now or hereafter constituted and established under the charter, constitution and by-laws of the Supreme Lodge Order Sons of Italy in America, a corporation established under the laws of the state of New Jersey, is hereby authorized to set up and provide, in accordance with plans to be approved by the commissioner of insurance, for the payment of hospital and medical expenses and for the services of surgeons, physicians and nurses or for any one of these services or expenses in connection with sickness, disease or accidents, or the results therefrom, for the benefit of its members, their families or dependents. *Approved September 17, 1959.*

Chap. 617. AN ACT PROVIDING SURVIVOR BENEFITS TO CERTAIN ELIGIBLE WIDOWS AND CHILDREN UNDER THE CONTRIBUTORY RETIREMENT LAW.

Be it enacted, etc., as follows:

SECTION 1. Option (d) of subdivision (2) of section 12 of chapter 32 of the General Laws is hereby amended by striking out the last paragraph, as amended by section 1 of chapter 515 of the acts of 1959, and inserting in place thereof the following paragraph:—

The normal monthly retirement allowance payable under this option to a widow of a deceased member having at least two years of creditable service shall be not less than the allowance provided under section twelve B; provided, such widow had been married to such member for at least three years. Such eligible widow may in the alternative, in addition to any existing right of election under this option, elect to receive either the survivor benefits under this option or the allowances provided by section twelve B.

SECTION 2. Section 12B of said chapter 32, as amended by section 2 of said chapter 515, is hereby further amended by striking out, in line 5, the word "five" and inserting in place thereof the word:—two.

SECTION 3. Said chapter 32 is hereby further amended by insert-

ing after section 12B the following section:—*Section 12C.* The benefits provided for a widow and children under section twelve B shall be paid in like manner to the widow and children of a deceased employee who had completed at least two years of service and had been married to such widow for at least three years at the time of his death and who having had the right to become a member of the retirement system failed to become or elected not to become such a member; provided, that there is paid into the annuity savings fund of the appropriate retirement system an amount equal to the deductions that would have been made from his annual compensation had he become a member of the retirement system at the time of his entry into service together with accumulated interest to the date of such payment.

SECTION 4. This act shall take effect as of October third, nineteen hundred and fifty-eight and shall apply to the widow and children of any employee whose death occurred on or after said effective date.

Approved September 17, 1959.

Chap. 618. AN ACT PROVIDING THAT CERTAIN VEHICLES SHALL BE EQUIPPED WITH AIR OR ELECTRIC BRAKES.

Be it enacted, etc., as follows:

SECTION 1. Section 7 of chapter 90 of the General Laws is hereby amended by inserting after the second sentence, as amended by chapter 109 of the acts of 1933, the following two sentences:—Every motor vehicle, and every tractor which is designed and used for drawing another vehicle, having an unladen weight of more than ten thousand pounds shall be equipped with air brakes, including a pedal or floor treadle valve for the operation thereof. Every trailer or semi-trailer having an unladen weight of more than ten thousand pounds shall be equipped with air or electric brakes.

SECTION 2. The provisions of section one shall apply to every trailer or semi-trailer manufactured subsequent to the year nineteen hundred and sixty, and to every motor vehicle and to each such tractor manufactured for the model year nineteen hundred and sixty-one and for subsequent model years.

Approved September 17, 1959.

Chap. 619. AN ACT PROVIDING FOR A FIRST ASSISTANT CLERK IN THE SECOND DISTRICT COURT OF PLYMOUTH WHOSE SALARY SHALL BE PAYABLE BY THE COUNTY.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section ten of chapter two hundred and eighteen of the General Laws or of any general or special law to the contrary, the clerk of the second district court of Plymouth shall, subject to the approval of the justice of said court, appoint an assistant clerk, who shall be removable at his pleasure or at the pleasure of the court, for whose official acts the clerk shall be responsible and whose salary shall be paid by the county.

SECTION 2. The assistant clerk of the second district court of Plymouth first appointed under the provisions of section one of this act, shall be selected from among persons then employed in the office

of the clerk of said court, and such appointee shall not, as a result of said appointment, suffer a reduction in salary.

SECTION 3. This act shall take effect on January first, nineteen hundred and sixty.

Approved September 17, 1959.

Chap. 620. AN ACT REVISING THE GENERAL SALARY SCHEDULE, UP-GRADING CERTAIN POSITIONS IN INSTITUTIONS OF HIGHER EDUCATION AND MAKING AN APPROPRIATION FOR SAID PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. Section 46 of chapter 30 of the General Laws is hereby amended by striking out the salary schedule and inserting in place thereof the following:—

GENERAL SALARY SCHEDULE.

Effective February 28, 1960.

Weekly Rates (on total cash basis).

JOB GROUP.	Step 1 Mini- mum.	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7 Maxi- mum.
I	\$ 51.50	\$ 53.75	\$ 56.00	\$ 58.25	\$ 60.50	\$ 62.75	\$ 65.00
II	53.75	56.00	58.25	60.50	62.75	65.00	67.25
III	55.75	58.00	60.25	62.50	64.75	67.00	69.25
IV	58.00	60.50	63.00	65.50	68.00	70.50	73.00
V	61.00	63.50	66.00	68.50	71.00	73.50	76.00
VI	63.25	66.00	68.75	71.50	74.25	77.00	79.75
VII	67.25	70.00	72.75	75.50	78.25	81.00	83.75
VIII	70.75	73.75	76.75	79.75	82.75	85.75	88.75
IX	74.00	77.25	80.50	83.75	87.00	90.25	93.50
X	79.25	82.75	86.25	89.75	93.25	96.75	100.25
XI	84.50	88.25	92.00	95.75	99.50	103.25	107.00
XII	89.75	93.75	97.75	101.75	105.75	109.75	113.75
XIII	96.00	100.25	104.50	108.75	113.00	117.25	121.50
XIV	104.25	108.75	113.25	117.75	122.25	126.75	131.25
XV	111.75	116.75	121.75	126.75	131.75	136.75	141.75
XVI	120.00	125.25	130.50	135.75	141.00	146.25	151.50
XXV	128.50	134.25	140.00	145.75	151.50	157.25	163.00
XXVIII	137.75	143.75	149.75	155.75	161.75	167.75	173.75
XIX	145.25	151.75	158.25	164.75	171.25	177.75	184.25
XX	153.75	160.75	167.75	174.75	181.75	188.75	195.75
XXI	163.00	170.25	177.50	184.75	192.00	199.25	206.50
XXII	171.50	179.25	187.00	194.75	202.50	210.25	218.00
XXIII	181.00	189.25	197.50	205.75	214.00	222.25	230.50
XXIV	191.25	199.75	208.25	216.75	225.25	233.75	242.25
XXV	200.75	209.75	218.75	227.75	236.75	245.75	254.75
XXVI	210.25	219.75	229.25	238.75	248.25	257.75	267.25
XXVII	218.75	228.75	238.75	248.75	258.75	268.75	278.75
XXVIII	229.00	239.25	249.50	259.75	270.00	280.25	290.50
XXIX	238.50	249.25	260.00	270.75	281.50	292.25	303.00
XXX	249.00	260.25	271.50	282.75	294.00	305.25	316.50
XXXI	260.50	272.25	284.00	295.75	307.50	319.25	331.00
XXXII	271.00	283.25	295.50	307.75	320.00	332.25	344.50
XXXIII	282.50	295.25	308.00	320.75	333.50	346.25	359.00

SECTION 2. The rate of compensation for each position in a public institution of higher education operated by the commonwealth is hereby increased according to a schedule filed in accordance with the provisions of paragraph (5) of section forty-five of chapter thirty of the General Laws; provided, that no change in the job group allocation shall be authorized for a position in a class the duties of which, as indicated by the descriptive specifications on file with the division of personnel and standardization, are clearly administrative; and, provided further, that the amount of the increase in compensation authorized for any position upgraded under the provisions of this section shall, on the effective date of this act, be limited to an amount which is the difference, as shown in the general salary schedule in section forty-six of chapter thirty of the General Laws as appearing in chapter seven hundred and twenty-nine of the acts of nineteen hundred and fifty-six, between the rate in the job group from which the position was assigned and the corresponding rate in said salary schedule for the job group to which the position is assigned as authorized by this section, notwithstanding the provisions of section one of this act or any other provision of law to the contrary; and, provided further, that the minimum increase authorized by this section shall be the increase authorized by section one of this act.

SECTION 3. To provide for meeting the cost of salary adjustments authorized by this act, the sum of four million dollars is hereby appropriated; provided, that the governor, upon the recommendation of the commission on administration and finance, is hereby authorized to transfer from said sum to items of appropriation for the fiscal year nineteen hundred and sixty, which are available in whole or in part for personal services, such amounts as are necessary to meet the cost of said salary adjustments, to be in addition to amounts otherwise appropriated for personal services in appropriations authorized for said fiscal year. The governor, upon recommendation of the commission on administration and finance, is further authorized to allocate the amount of such transfers to the several state or other funds to which such items of appropriation are charged.

SECTION 4. The wages paid to blind workers by the division of the blind in the department of education, as provided by section fourteen of chapter sixty-nine of the General Laws, shall be increased over the rate paid February twenty-seventh, nineteen hundred and sixty, at a rate of six dollars and seventy-five cents per week beginning February twenty-eighth, nineteen hundred and sixty.

SECTION 5. This act shall take effect on February twenty-eighth, nineteen hundred and sixty. *Approved September 17, 1959.*

Chap. 621. AN ACT AUTHORIZING THE COMMONWEALTH TO ENTER INTO THE NORTHEASTERN WATER AND RELATED LAND RESOURCES COMPACT WITH THE OTHER NEW ENGLAND STATES.

Be it enacted, etc., as follows:

SECTION 1. The governor is hereby authorized, in the name and on behalf of the commonwealth, to enter into and to execute a compact with the other New England states in the following form:—

ARTICLE I.

FINDINGS.

The northeastern part of the United States is by virtue of geographic location and other characteristics a great natural resource area which, with more intense use of natural resources, increasingly requires co-ordinated planning as a basic ingredient of effective resource management and orderly growth of the region. The work of the New England-New York Interagency Committee demonstrated that a continuation and furtherance of activities such as those undertaken by it would be of great value. To this end, it is the intent of this compact to establish and provide for the operation of a joint agency for said northeastern region.

ARTICLE II.

PURPOSE.

It is the purpose of this compact to provide, in the northeastern region, improved facilities and procedures for the co-ordination of the policies, programs and activities of the United States, the several states, and private persons or entities, in the field of water and related land resources, and to study, investigate and plan the development and use of the same and conservation of such water and related land resources; to provide means by which conflicts may be resolved; and to provide procedures for co-ordination of the interests of all public and private agencies, persons and entities in the field of water and related land resources; and to provide an organization for co-operation in such co-ordination on both the federal and state levels of government.

ARTICLE III.

CREATION OF COMMISSION.

There is hereby created the Northeastern Resources Commission, hereinafter called the commission.

ARTICLE IV.

MEMBERSHIP.

The commission shall consist of one member from each party state to be appointed and to serve, in accordance with and subject to the laws of the state which he represents, and seven members representing departments or agencies of the United States having principal responsibilities for water and related land resources development to be appointed and to serve in such manner as may be provided by the laws of the United States.

ARTICLE V.

FUNCTIONS.

It shall be the responsibility of the commission to recommend to the states and the United States, or any intergovernmental agency, changes in law or policy which would promote co-ordination, or resolution of problems, in the field of water and related land resources. The efforts of the commission in co-ordination of work and resolution of conflicts may be directed towards all state and federal activities

involved in water and related land resources development responsibilities and shall include co-ordination of the following:—

- (1) Collection and interpretation of basic data;
- (2) Investigation and planning of water and related land resources projects;
- (3) Programming (including scheduling) of water and related land resources construction and development;
- (4) Encouraging of the referral of plans or proposals for resources projects to the commission.

The commission shall use qualified public and private agencies to make investigations and conduct research in the field of water and related land resources, but if it is unable to secure the undertaking of such investigations or original research by a qualified public or private agency, it shall have the power to make its own investigations and conduct its own research. The commission may make contracts with any public or private agencies or private persons or entities for the undertaking of such investigations, or original research within its purview.

ARTICLE VI.

VOTING.

No action of the commission respecting the internal management thereof shall be binding unless taken at a meeting at which a majority of the members are present and vote in favor thereof; provided, that any action not binding for such a reason may be ratified within thirty days by the concurrence in writing of a majority of the commission membership. No action of the commission respecting a matter other than its internal management shall be binding unless taken at a meeting at which a majority of the state members and a majority of the members representing the United States are present and a majority of said state members together with a majority of said members representing the United States vote in favor thereof; provided, that any action not binding for such a reason may be ratified within thirty days by the concurrence in writing of a majority of the state members and the concurrence in writing of a majority of the members representing the United States.

ARTICLE VII.

FINANCES.

A. The commission shall submit to the governor or designated officer of each party state a request for funds to cover estimated expenditures for such period as may be required by the laws of that jurisdiction for presentation to the legislature thereof. Any such request shall indicate the sum or sums which the commission has requested or intends to request be appropriated by the United States for the use or support of the commission during the period covered thereby.

B. With due regard for such monies and other assistance as may be made available to it, the commission shall be provided with such funds by each of the several states participating therein to provide the means of establishing and maintaining facilities, a staff of person-

nel, and such activities as may be necessary to fulfill the powers and duties imposed upon and entrusted to the commission.

With due allowance for monies otherwise available, each budget of the commission shall be the responsibility of the party states, to be apportioned among them on a weighted formula based fifty per cent on population and fifty per cent on gross land area, such population and gross land area to be determined in accordance with the last official U. S. Census of Population; provided, that the total contributions of all of the states shall not be required to exceed fifty thousand dollars annually; and provided, further, that regardless of the number of states party to the compact at any time the maximum annual contribution required of any state shall not exceed its share of the fifty thousand dollars as determined above. Any state may contribute such funds in excess of its share, as determined above, as it may desire.

C. The commission shall not pledge the credit of any jurisdiction. The commission may meet any of its obligations in whole or in part with funds available to it under Article VIII (E) of this compact; provided, that the commission takes specific action setting aside such funds prior to the incurring of any obligation to be met in whole or in part in such manner.

D. The members of the commission shall be paid by the commission their actual expenses incurred and incident to the performance of their duties, subject to the approval of the commission.

E. The commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the commission shall be subject to the audit and accounting procedures established under its by-laws. However, all receipts and disbursements of funds handled by the commission shall be audited by a qualified public accountant and the report of the audit shall be included in and become a part of the annual report of the commission.

F. The accounts of the commission shall be open at any reasonable time for inspection by such agency, representative or representatives of the jurisdictions which appropriate funds to the commission.

ARTICLE VIII.

ADMINISTRATION AND MANAGEMENT.

A. The commission may sue and be sued, and shall have a seal.

B. The commission shall elect annually, from among its members, a chairman, vice-chairman and treasurer. The commission shall appoint an executive director who shall also act as secretary, and together with the treasurer, shall be bonded in such amounts as the commission may require.

C. The commission shall appoint and remove or discharge such personnel as may be necessary for the performance of its functions irrespective of any civil service laws which might otherwise apply. The commission shall establish and maintain, independently, by contract or agreement with the United States or an agency thereof, or in conjunction with any one or more of the party states, suitable retirement programs for its employees. Employees of the commission shall be eligible for social security coverage in respect to old age and survivors insurance; provided, that the commission takes such steps as

may be necessary pursuant to federal law to participate in such program of insurance as a governmental agency or unit. The commission may establish and maintain or participate in such additional programs of employee benefits as may be appropriate to afford employees of the commission terms and conditions of employment similar to those enjoyed by employees of the party states generally.

D. The commission may borrow, accept or contract for the services of personnel from any state or the United States or any subdivision or agency thereof, from any intergovernmental agency, or from any institution, person, firm or corporation.

E. The commission may accept for any of its purposes and functions under this compact any and all appropriations, donations, and grants of money, equipment, supplies, materials and services, conditional or otherwise, from any state or the United States or any subdivision or agency thereof, or intergovernmental agency, or any institution, person, firm or corporation, and may receive, utilize and dispose of the same.

F. The commission may establish and maintain such facilities as may be necessary for the transacting of its business. The commission may accept, hold and convey real and personal property and any interest therein.

G. The commission may adopt, amend and rescind by-laws, rules and regulations for the conduct of its business.

H. The commission shall make and transmit annually, to the legislature and governor of each party state, and to the president and congress of the United States, a report covering the activities of the commission for the preceding year, and embodying such recommendations as may have been adopted by the commission. The commission may issue such additional reports as it may deem desirable.

ARTICLE IX.

OTHER COMPACTS AND ACTIVITIES.

Nothing in this compact shall be construed to impair, or otherwise affect, the jurisdiction of any interstate agency in which any party state participates nor to abridge, impair, or otherwise affect the provisions of any compact to which any one or more of the party states may be a party, nor to supersede, diminish, or otherwise affect any obligation assumed under any such compact. Nor shall anything in this compact be construed to discourage additional interstate compacts among some or all of the party states for the management of natural resources, or the co-ordination of activities with respect to a specific natural resource or any aspect of natural resource management, or for the establishment of intergovernmental planning agencies in sub-areas of the region. Nothing in this compact shall be construed to limit the jurisdiction or activities of any participating government, agency or officer thereof, or any private person or agency.

ARTICLE X.

ENACTMENT.

A. This compact shall become effective when entered into and enacted into law by any three of the states of Connecticut, Maine,

Massachusetts, New Hampshire, Rhode Island and Vermont, and when the United States has provided by law for the designation of its representation on the commission. Thereafter it shall become effective with respect to any other aforementioned state upon its enacting this compact into law.

B. Upon consent of the congress of the United States of America, any other state in the northeastern area may become a party to this compact, by entering into and enacting this compact into law.

ARTICLE XI.

WITHDRAWAL.

This compact shall continue in force and remain binding upon each party state until renounced by it. Renunciation of this compact must be preceded by sending three years' notice in writing of intention to withdraw from the compact to the governor of each of the other states party hereto and to such officers or agencies of the United States as may be designated by federal law.

ARTICLE XII.

CONSTRUCTION AND SEVERABILITY.

The provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact is declared to be unconstitutional or the applicability thereof to any state, agency, person or circumstance is held invalid, the constitutionality of the remainder of this compact and the applicability thereof to any other state, agency, person or circumstance shall not be affected thereby. It is the legislative intent that the provisions of this compact be reasonably and liberally construed.

SECTION 2. The member of the Northeastern Resources Commission from the commonwealth shall be the director of the division of waterways in the department of public works, or a person designated by him.

Approved September 17, 1959.

Chap. 622. AN ACT VALIDATING CERTAIN ACTIONS TAKEN BY THE DISTRICT ATTORNEY FOR THE NORTHERN DISTRICT OR BY CERTAIN OF HIS EMPLOYEES, MAKING VALID CERTAIN PAYMENTS TO HIS STAFF, AND AUTHORIZING THE CERTIFICATION OF CERTAIN PAYROLLS AND VOUCHERS BY THE ATTORNEY GENERAL.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is forthwith to validate certain actions taken by the district attorney for the northern district or by certain of his employees, make valid certain payments to his staff, and to authorize the certification of certain payrolls and vouchers by the attorney general, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. No action taken by the district attorney for the northern district, by assistant district attorneys appointed by him, or by any

legal, investigative, clerical or other employees of his office in the period from the commencement of the term of said district attorney on the first Wednesday of January, nineteen hundred and fifty-nine to September eleventh, nineteen hundred and fifty-nine shall be deemed invalid by reason of the fact that said district attorney may have failed to maintain his residence in said district during said period in accordance with law. The payment of any sums to such assistant district attorneys or to such legal, investigative, clerical or other employees as salary or expenses for the period from said first Wednesday in January through August thirty-first, nineteen hundred and fifty-nine is hereby declared valid.

SECTION 2. The attorney general is hereby authorized and directed to certify the payrolls for the office of district attorney for the northern district and to certify vouchers for services performed or expenses incurred for the period commencing August thirty-first, nineteen hundred and fifty-nine until a successor is appointed to fill the unexpired term of said district attorney and qualifies for such office.

Approved September 21, 1959.

Chap. 623. AN ACT RELATIVE TO THE TERMS OF CERTAIN BONDS AND NOTES TO BE ISSUED BY THE COMMONWEALTH.

Whereas, The deferred operation of this act would cause great inconvenience in the issues of bonds and notes to carry out the purposes of various acts passed at the current session of the general court, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of law to the contrary, the bonds which the state treasurer is authorized to issue under section four of chapter five hundred and forty-nine of the acts of the current year, authorizing and directing the metropolitan district commission to construct, enlarge and improve its recreational facilities, shall be issued for maximum terms of twenty years, the initial maturities of which shall be payable not later than one year from the date of issue thereof and the entire issue not later than June thirtieth, nineteen hundred and eighty, as recommended by the governor in a message to the general court, dated September seventeenth, nineteen hundred and fifty-nine, in pursuance of section 3 of Article LXII of the amendments to the constitution of the commonwealth.

SECTION 2. Notwithstanding any provision of law to the contrary, the bonds which the state treasurer is authorized to issue under section three of chapter five hundred and ninety of the acts of the current year, authorizing the metropolitan district commission to construct certain improvements and extensions to the distribution system of the metropolitan water district and to borrow money for the construction thereof, shall be issued for maximum terms of thirty years, and shall be payable not earlier than July first, nineteen hundred and sixty, nor later than June thirtieth, nineteen hundred and ninety, as recommended by the governor in a message to the general court, dated Sep-

tember seventeenth, nineteen hundred and fifty-nine, in pursuance of section 3 of Article LXII of the amendments to the constitution of the commonwealth.

SECTION 3. Notwithstanding any provision of law to the contrary, the notes which the state treasurer is authorized to issue under section three of chapter six hundred and four of the acts of the current year, to provide for a special capital outlay program for the commonwealth, shall be issued and may be renewed one or more times for terms not exceeding one year, and the final maturities of such notes, whether original or renewal, shall be not later than June thirtieth, nineteen hundred and sixty-five, and the bonds which the state treasurer is authorized to issue under section four of said chapter six hundred and four, shall be issued for maximum terms of twenty years, the initial maturities of which shall be payable not later than one year from the date of issue thereof and the entire issue not later than June thirtieth, nineteen hundred and eighty-five, as recommended by the governor in a message to the general court, dated September seventeenth, nineteen hundred and fifty-nine, in pursuance of section 3 of Article LXII of the amendments to the constitution of the commonwealth.

Approved September 21, 1959.

Chap. 624. AN ACT CREATING A LIEN IN FAVOR OF HOSPITALS FOR SERVICES RENDERED TO PERSONS INJURED AS A RESULT OF CERTAIN ACCIDENTS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 111 of the General Laws is hereby amended by inserting after section 70 the following four sections:—*Section 70A.* Any person and any city or town maintaining a hospital licensed under the provisions of section seventy-one which furnishes medical or other services to any person injured in an accident not covered by the workmen's compensation act shall, subject to the provisions of section seventy B, have a lien for the reasonable and necessary charges of such hospital, not exceeding, however, the amount which would be charged in a ward of such hospital, upon the net amount payable to such injured person, his heirs or legal representatives out of the total amount of any recovery or sum had or collected or to be collected, whether by judgment or by settlement or compromise, from another person as damages on account of such injuries. The lien of an attorney shall have precedence over the lien created under this section. The provisions of this section shall not apply to any such charges incurred subsequent to any such judgment, settlement or compromise.

Section 70B. Such lien shall take effect if, prior to any such judgment, settlement or compromise, a written notice containing the name and address of the injured person, the date of the accident, the name and location of the hospital, and the name of the person alleged to be liable to the injured person for the injuries received, shall be mailed by such hospital, certified mail, return receipt requested, to such injured person, to his attorney, to the person alleged to be liable to such injured person for the injuries sustained and to any insurance carrier which has insured such person against such liability.

Section 70C. Any person who pays over any money upon which there is a lien as provided in section seventy A of which he has received notice as provided in section seventy B to any such injured person, his attorney or his heirs or legal representatives shall be liable to the person or the city or town having such lien for the amount thereof, not exceeding, however, said net amount paid to such injured person, his heirs or legal representatives. Any action under this section shall be commenced within one year after the date of such payment.

Section 70D. Upon receipt of a written request mailed by certified mail, return receipt requested, from any person notified of such lien in accordance with the provisions of section seventy B, such hospital shall within ten days after receipt of such request furnish such person with a certified itemized statement of all charges of such hospital in reference to such injured person as provided in section seventy A, or if such injured person has not been discharged from said hospital at the time such request is received, then such statement shall be so furnished within ten days after such person has been discharged from said hospital.

If such hospital fails to comply with the provisions of this section, such lien shall be dissolved and no person shall be held liable under the provisions of section seventy C for the amount thereof.

SECTION 2. This act shall take effect on January first, nineteen hundred and sixty and shall apply only to such charges for medical or other services furnished to persons who were injured by reason of such accidents occurring on or after said date.

Approved September 21, 1959.

Chap. 625. AN ACT PROVIDING FOR THE SALE BY THE COMMONWEALTH TO BETTY WEEKS PRATT WORDEN AND CARL F. BLAISDELL OF CERTAIN PARCELS OF LAND.

Be it enacted, etc., as follows:

The trustees of the Lowell Technological Institute of Massachusetts are hereby authorized and directed to sell, and to convey in the name and on behalf of the commonwealth, by deed approved as to form by the attorney general, to Betty Weeks Pratt Worden and Carl F. Blaisdell the following parcels of land:—

Parcel #1. A parcel of land with the buildings thereon, located in Rye, New Hampshire, bounded and described as follows: Northerly by Central Road in part and in part by land now or formerly of J. E. Anthes; Easterly by land now or formerly of Levi Marden; Southerly by Washington Road; and Westerly by land now or formerly of Annie Fritz in part and in part by land now or formerly of Herbert W. Cunningham; the same being the home place of Russell Weeks Hook, late of said Rye, deceased, and being all and singular the premises conveyed to him by deed of Wallace B. Canney dated May 2, 1931, and recorded on June 23, 1931, in Book 871, Page 293 of the Rockingham County Registry of Deeds. And intending to include all the real estate and rights therein of said deceased in said town of Rye, as devised to said Commonwealth and Institute by his will.

Parcel #2. A parcel of land with the buildings thereon, now numbered six (6) and eight (8) on School Street in the Charlestown

District of Boston and being lot B as shown on "Plan of Land in Boston, Charlestown District" dated September 16, 1947, George L. Philpott, C.E., recorded with Suffolk Deeds, said lot B being bounded and described as follows:—Beginning at a point on the Northwesterly side of said School Street distant forty-six and sixty-six hundredths (46.66) feet from Main Street at land now or formerly of Natalie Pearlman, thence running Northwesterly by said Pearlman land eight and ninety-five hundredths (8.95) feet through the center of a brick wall, thence turning and running Northeasterly by a line through the center of a brick wall eight and thirty-two hundredths (8.32) feet; thence turning and running Northwesterly, again, in part through the center of a brick wall twenty-six and sixty-five hundredths (26.65) feet to land now or formerly of Jennie Levine; thence turning and running Northeasterly, again, by said Levine land thirteen and thirty hundredths (13.30) feet; thence turning and running Southeasterly four and sixty-one hundredths (4.61) feet to the face of the wooden building on the granted premises; thence turning and running North-easterly, again, by the face of said building twenty-three and seventy-eight hundredths (23.78) feet to the Northeast corner of said building; thence turning and running Southeasterly, again, by the face of said building thirty and sixty hundredths (30.60) feet to said School Street; thence turning and running Southwesterly by said School Street forty-three and fifty-two hundredths (43.52) feet to the point of beginning. Containing one thousand two hundred and sixty (1260) square feet. Be all of said measurement and area more or less or however otherwise said parcel may be bounded and described. Being the third parcel described in the deed of Nellie A. Spalding to Dorothy M. Hook, dated February 26, 1948, recorded in Book 6410, Page 264 of Suffolk Deeds. See also deed of Arthur M. Hook to Genevieve P. Hook dated February 5, 1948, recorded in Book 6408, Page 571 of said Suffolk Deeds in which latter deed said Parcel is also described.

These conveyances to be made pursuant to the provisions of the "agreement and compromise of will and settlement of probate appeal" made by and between the said Betty Weeks Pratt Worden, said Charles F. Blaisdell and the Commonwealth of Massachusetts and others, being all the parties in interest under date of agreement dated October 7, 1957, filed with and approved by the Rockingham County Probate Court (case 35730) by decree dated November 5, 1957.

Approved September 21, 1959.

Chap. 626. AN ACT RELATIVE TO LAND TAKINGS AND PROVIDING THAT OFFERS IN SETTLEMENT OR PRO TANTO FOR SUCH TAKINGS SHALL BE MADE WITHIN CERTAIN PERIODS OF TIME.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 3 of chapter 79 of the General Laws is hereby amended by striking out, in lines 22 and 23, as appearing in section 6 of chapter 172 of the acts of 1938, the words "the right to damages shall not vest" and inserting in place thereof the words:—title to the fee of the property taken or to such other

interest therein as has been designated in such order shall not vest in the body politic or corporate on behalf of which the taking was made nor shall the right to damages vest.

SECTION 2. Section 8 of said chapter 79 is hereby amended by striking out the second sentence, as appearing in section 1 of chapter 187 of the acts of 1936, and inserting in place thereof the following sentence:—Such notice shall be in writing and shall describe in general terms the purpose and extent of the taking, and shall state the amount of damages, if any, awarded for such taking, or, if no damages have been awarded, the time within which he may petition for an award of the same, and in either case the time within which he may request an offer under section eight A and the time within which he may petition the superior court to determine his damages under section fourteen.

SECTION 3. Said chapter 79 is hereby further amended by inserting after section 8 the following section:—*Section 8A.* A board of officers who have made a taking under this chapter may at any time after the right to damages for such taking has become vested, and, if so requested by a person entitled to damages at any time after the right to damages has become vested, shall before the expiration of nine months after the right to damages vested or, in the case of a request made more than three months after the right to damages vested, before the expiration of six months after such request, offer in writing to every person entitled to damages on account of such taking a reasonable amount which such board is willing to pay either in settlement under section thirty-nine of all damages for such taking, with interest thereon and taxable costs, if any, or as a payment pro tanto which may be accepted and collected forthwith without prejudice to or waiver or surrender of any right to claim a larger sum by proceeding before an appropriate tribunal, but subject to the obligation imposed by this section to refund an amount equal to the difference between such payment and the damages subsequently assessed by such tribunal if such offer is accepted as a payment pro tanto and such payment shall prove to be in excess of the damages subsequently assessed by such tribunal. At the election of the person accepting such offer, acceptance thereof may be either in settlement as aforesaid or as such payment pro tanto. After payment of such offer or tender of such payment, no interest shall be recovered, except upon such amount of damages as shall, upon final adjudication, be in excess of the amount of such offer; provided, that all taxable costs accruing subsequently to such offer shall be recoverable by the petitioner in all cases, except as provided in section thirty-eight.

In the event that a payment pro tanto shall prove to be in excess of damages subsequently assessed by an appropriate tribunal, the petitioner shall be ordered by a proper decree to refund to the body politic or corporate an amount equal to the difference between the payment pro tanto and the damages subsequently assessed, plus costs and interest at the rate of four per cent per annum from the date as of which damages were assessed.

SECTION 4. The first sentence of section 12 of said chapter 79, as appearing in the Terecentenary Edition, is hereby amended by inserting after the word "the", the second time it appears in line 2, the words:—recording of the order of.

SECTION 5. Said chapter 79 is hereby further amended by striking out section 39, as amended by chapter 242 of the acts of 1955, and inserting in place thereof the following section:—*Section 39.* Whenever damages may be recovered under this chapter, the body politic or corporate liable for such damages may after the right to such damages has become vested effect such settlement of the damages with the person entitled thereto as it may deem to be for its best interests, and it may as one of the terms of the settlement of a claim for damages growing out of the proceedings in respect of which betterments have been or are to be assessed agree in writing with the owner of the land assessed to assume such betterments. Every settlement under this section shall be in writing and in full satisfaction of all damages for such taking with interest thereon and taxable costs, if any.

SECTION 6. This act shall apply only to orders of taking adopted on and after the effective date of this act.

Approved September 21, 1959.

Chap. 627. AN ACT MAKING APPROPRIATIONS FOR THE MASSACHUSETTS AERONAUTICS COMMISSION AND CERTAIN EXPENSES IN CONNECTION WITH A CONTESTED ELECTION.

Be it enacted, etc., as follows:

SECTION 1. To provide for supplementing certain items in the general appropriation act and for certain new activities and projects, the sums set forth in section two are hereby appropriated from the General Fund or ordinary revenue of the commonwealth, to be in addition to any amounts at present available for the purposes, subject to the provisions of law regulating the disbursement of public funds and the approval thereof and the conditions pertaining to said appropriations in chapter four hundred and thirty-three of the acts of nineteen hundred and fifty-nine, for the fiscal year ending June thirtieth, nineteen hundred and sixty.

SECTION 2.

STATE PURPOSES APPROPRIATIONS.

APPROPRIATIONS MADE FROM THE GENERAL FUND.

Service of the Legislature.

House of Representatives.

Item 0102-21	For certain expenses in connection with a contested election, as authorized by an order of the house of representatives	\$500 00
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Boards and Commissions serving under Governor and Council.

Massachusetts Aeronautics Commission.

0490-01	For the compensation and expenses of members of the Massachusetts aeronautics commission, including not more than five permanent positions	\$7,000 00
0490-02	For the service of the Massachusetts aeronautics commission, including not more than nine permanent positions	25,000 00

SECTION 3. This act shall take effect upon its passage.

Approved September 23, 1959.

Chap. 628. AN ACT IN ADDITION TO THE GENERAL APPROPRIATION ACT MAKING APPROPRIATIONS TO SUPPLEMENT CERTAIN ITEMS CONTAINED THEREIN AND FOR CERTAIN NEW ACTIVITIES AND PROJECTS.

Be it enacted, etc., as follows:

SECTION 1. To provide for supplementing certain items in the general appropriation act and for certain new activities and projects, the sums set forth in section two are hereby appropriated from the General Fund or ordinary revenue of the commonwealth, to be in addition to any amounts at present available for the purposes, subject to the provisions of law regulating the disbursement of public funds and the approval thereof and the conditions pertaining to said appropriations in chapter four hundred and thirty-three of the acts of nineteen hundred and fifty-nine, for the fiscal year ending June thirtieth, nineteen hundred and sixty.

SECTION 2.

STATE PURPOSES APPROPRIATIONS.

APPROPRIATIONS MADE FROM THE GENERAL FUND.

Service of the Legislature.

Senate.

Item

0101-20	For a certain payment as authorized by chapter eighty-four of the resolves of the current year	\$6,500 00
0101-21	For expenses of the special committee on elections on the petition of John F. Melia and others relative to the duly elected senator from the Middlesex and Suffolk district, as authorized by a Senate order	7,123 00

Service of the Department of Mental Health.

1701-02	For administration, including community nurseries for retarded children, the division of mental hygiene, psychiatric services to the courts and other state departments, therapy and out-patient treatment of sexual offenders including those incarcerated in institutions within the commonwealth, and for the transportation and medical examination of patients and certain feeble-minded persons, including not more than three hundred and thirty-nine permanent positions	\$10,000 00
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Service of the Department of Correction.

For the maintenance of and for certain improvements at the following institutions under the control of the department of correction.

1810-01	Correctional institution at Bridgewater, including not more than four hundred and eighty-one permanent positions	\$150,000 00
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SECTION 3. This act shall take effect upon its passage.

Approved September 23, 1959.

RESOLVES.

- Chap. 1.** RESOLVE EXTENDING THE TIME WITHIN WHICH THE ADVISORY COUNCIL IN THE DIVISION OF EMPLOYMENT SECURITY MUST FILE ITS REPORT OF INVESTIGATION AND STUDY OF CERTAIN MATTERS RELATING TO THE EMPLOYMENT SECURITY LAW.

Resolved, That the time within which the state advisory council in the division of employment security shall make its final report of its investigation and study on the matters submitted to it by chapter one hundred and fifty-seven of the resolves of nineteen hundred and fifty-eight is hereby extended to the second Wednesday of April, nineteen hundred and fifty-nine.

Approved February 10, 1959.

- Chap. 2.** RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROVIDING THAT TRANSITORY ACTIONS BROUGHT IN A DISTRICT COURT MAY BE BROUGHT IN THE JUDICIAL DISTRICT IN WHICH ONE OF THE PARTIES LIVES OR HAS A USUAL PLACE OF BUSINESS.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 1944, relative to providing that transitory actions brought in a district court may be brought in the judicial district in which one of the parties lives or has a usual place of business, and to include its conclusions and recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

Approved February 20, 1959.

- Chap. 3.** RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PERMITTING LANDLORDS TO RECOVER RENT ARREARAGE IN A SUMMARY PROCESS ACTION.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 1949, relative to permitting landlords to recover rent arrearage in a summary process action, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

Approved February 20, 1959.

- Chap. 4.** RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROVIDING FOR MORE ADEQUATE SERVICE ON FOREIGN CORPORATIONS.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 1559, relative to

providing for more adequate service on foreign corporations, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

Approved February 20, 1959.

Chap. 5. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE JUDICIAL COUNCIL RELATIVE TO INDETERMINATE SENTENCES IN CRIMINAL PROCEEDINGS.

Resolved, That the judicial council be requested to investigate the subject matter of current senate document numbered 171 relative to indeterminate sentences in criminal proceedings, and all laws relating thereto, with a view to making such changes as may be advisable and helpful in the sentencing of criminal offenders, and to include its conclusions and its recommendations, if any, in relation thereto, with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

Approved February 26, 1959.

Chap. 6. RESOLVE REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE A STUDY RELATIVE TO THE ORGANIZATION AND OPERATION OF THE METROPOLITAN DISTRICT COMMISSION AND OTHER MATTERS.

Resolved, That the unpaid special commission established by chapter one hundred and forty of the resolves of nineteen hundred and fifty-eight is hereby revived and continued for the purpose of continuing its study relative to the organization and operation of the metropolitan district commission and other matters. Said commission shall be provided with quarters in the state house or elsewhere, may hold hearings, may travel within and without the commonwealth, and may expend for expert, legal, clerical and other services and expenses such sums as may hereafter be appropriated therefor. Said commission shall report to the general court the results of its study and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Wednesday of January, nineteen hundred and sixty. *Approved March 3, 1959.*

Chap. 7. RESOLVE VALIDATING THE ACTS OF FRANK W. PERRY OF MARBLEHEAD AS A JUSTICE OF THE PEACE.

Resolved, That the acts of Frank W. Perry of Marblehead as a justice of the peace, between September twenty-sixth and November twentieth, nineteen hundred and fifty-eight, both dates inclusive, are hereby confirmed and made valid to the same extent as if during said time he had been qualified to discharge the duties of said office.

Approved March 3, 1959.

- Chap. 8.** RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO REPEALING THE TIME LIMIT ON GRANTING ADMINISTRATION TO A PUBLIC ADMINISTRATOR, RELATIVE TO CLARIFYING PROVISIONS RELATIVE TO ORDERS FOR SUPPORT AND DECREE OF DESERTION AND LIVING APART FOR JUSTIFIABLE CAUSE, AND RELATIVE TO DESCENT AND DISTRIBUTION BY REPRESENTATION TO AN ILLEGITIMATE CHILD, OR HIS LAWFUL ISSUE, FROM THE ESTATE OF COLLATERAL KINDRED OF HIS DECEASED MOTHER.

Resolved, That the judicial council be requested to investigate the subject matter of current house documents numbered 170, relative to repealing the time limit of granting administration to a public administrator, 263, relative to clarifying provisions relative to orders for support and decree of desertion and living apart for justifiable cause, and 751, relative to descent and distribution by representation to an illegitimate child, or his lawful issue, from the estate of collateral kindred of his deceased mother, and to include its conclusions and recommendations, if any, in relation thereto, with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

Approved March 3, 1959.

- Chap. 9.** RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PERMITTING TRIALS BY JURIES OF SIX IN MUNICIPAL AND DISTRICT COURTS.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 261, relative to permitting trials by juries of six in municipal and district courts, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

Approved March 3, 1959.

- Chap. 10.** RESOLVE VALIDATING THE ACTS OF M. JOAN KELLY OF EVERETT AS A NOTARY PUBLIC.

Resolved, That the acts of M. Joan Kelly of Everett as a notary public between February second, nineteen hundred and fifty-four and January ninth, nineteen hundred and fifty-nine, both dates inclusive, are hereby confirmed and made valid, in so far as the same were invalid by reason of the fact that, notwithstanding the change of her name by marriage from M. Joan Cribbons, she failed to re-register under her new name and pay to the state secretary a fee of one dollar as required by section thirteen of chapter thirty of the General Laws.

Approved March 3, 1959.

- Chap. 11.** RESOLVE IN FAVOR OF ALICE M. CRONIN, MOTHER OF THE LATE EDWARD J. CRONIN.

Resolved, That for the purpose of promoting the public good, and after an appropriation has been made therefor, there be paid out of

the state treasury to Alice M. Cronin, mother of the late Edward J. Cronin, who died while the secretary of the commonwealth, the salary to which he would have been entitled had he lived and served until the expiration of that term of office during which he died.

Approved March 9, 1959.

Chap. 12. RESOLVE IN FAVOR OF THE WIDOW OF THE LATE JOHN G. ASIAF.

Resolved, That, for the purpose of promoting the public good, and after an appropriation has been made therefor, there be paid out of the state treasury to the widow of the late John G. Asiaf, who died while a member of the present house of representatives, the salary to which he would have been entitled had he lived and served until the end of the term for which he was elected.

Approved March 9, 1959.

Chap. 13. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO THE ADMISSIBILITY IN EVIDENCE IN CASES OF TORT FOR PERSONAL INJURIES, OF CERTAIN PRINTS SHOWING PARTS OF THE HUMAN ANATOMY, SKELETONS OR PARTS THEREOF AND PLASTER REPRODUCTIONS OF BONE STRUCTURE.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 703, relative to the admissibility in evidence in cases of tort for personal injuries, of certain prints showing parts of the human anatomy, skeletons or parts thereof and plaster reproductions of bone structure, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

Approved March 9, 1959.

Chap. 14. RESOLVE VALIDATING CERTAIN ACTS OF ROBERTA W. ADAMSON OF EVERETT AS A SPECIAL COMMISSIONER.

Resolved, That the acts of Roberta W. Adamson of Everett, as a special commissioner, between September twenty-seventh, nineteen hundred and twenty-three and April fourth, nineteen hundred and twenty-four, both dates inclusive, are hereby confirmed and made valid to the same extent as if during said time she had been qualified to discharge the duties of said office.

Approved March 9, 1959.

Chap. 15. RESOLVE VALIDATING THE ACTS OF ESTHER M. PETERSON OF BELMONT AS A NOTARY PUBLIC.

Resolved, That the acts of Esther M. Peterson of Belmont as a notary public between February ninth, nineteen hundred and forty-four and January thirty-first, nineteen hundred and fifty-eight, both

dates inclusive, are hereby confirmed and made valid in so far as the same may have been invalid by reason of the fact that she was appointed and reappointed a notary public under her maiden name of Esther Duncan MacElroy and that she signed documents as notary public under said name during said period although prior to February ninth, nineteen hundred and forty-four, her name had been changed to Esther M. Peterson.

Approved March 30, 1959.

Chap. 16. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF COMMERCE RELATIVE TO STATE SUPPORT OF A CERTAIN TOURIST INFORMATION CENTER.

Resolved, That the department of commerce is hereby authorized and directed to make an investigation and study of the subject matter of current senate document numbered 445, authorizing the department of commerce to expend certain sums for the purpose of supporting state-wide tourist information facilities of the Tourist Information Center of Sturbridge, Southbridge, Charlton and Brimfield. Said department shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Tuesday of December in the current year.

Approved March 30, 1959.

Chap. 17. RESOLVE FURTHER REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO INVESTIGATE AND STUDY CERTAIN MATTERS PERTAINING TO THE INDUSTRIAL AND ECONOMIC DEVELOPMENT AND PROSPERITY OF THE COMMONWEALTH.

Resolved, That the unpaid special commission established by chapter ninety-six of the resolves of nineteen hundred and fifty-five, and most recently revived and continued by chapter eighty-one of the resolves of nineteen hundred and fifty-eight to investigate and study certain matters pertaining to the industrial and economic development and prosperity of the commonwealth, is hereby further revived and continued for the purpose of continuing its investigation and study. Said commission shall consult with appropriate officers and boards of municipalities and other state agencies, and may request assistance of such governmental agencies, local, state and federal, as will further the purposes herein set forth. Said commission shall be provided with quarters in the state house or elsewhere, may hold hearings, may require by summons the attendance and testimony of witnesses and the production of books and papers; may travel within and without the commonwealth, and may expend for legal, clerical and other assistance and for expenses the balance available in item 0256-12 of section two of chapter seven hundred and forty-three of the acts of nineteen hundred and fifty-seven, and such additional sums as may be appropriated therefor. Said commission may report to the general court the results

of its investigation and study from time to time, and shall file its final report, together with drafts of legislation necessary to carry its recommendations, if any, into effect, on or before the fourth Wednesday of January, nineteen hundred and sixty by filing the same with the clerk of the house of representatives.

Approved April 6, 1959.

Chap. 18. RESOLVE REVIVING, CONTINUING AND INCREASING THE MEMBERSHIP OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE BRANCH BANKING LAWS OF THE COMMONWEALTH.

Resolved, That the unpaid special commission established by chapter one hundred and thirty-seven of the resolves of nineteen hundred and fifty-seven and revived and continued by chapter fifty-seven of the resolves of nineteen hundred and fifty-eight, is hereby further revived and continued for the purpose of continuing its investigation and study relative to the branch banking laws of the commonwealth as well as bank holding companies and the merger, consolidation and conversion of trust companies and national banking associations. The membership of said commission is hereby increased by one member, to be appointed by the governor. Said commission shall be provided with quarters in the state house or elsewhere, may hold hearings, may require by summons the attendance and testimony of witnesses and the production of books and papers, may travel within and without the commonwealth, and may expend for expert, legal, clerical and other services the unexpended balance available in item 0258-16 of section two of chapter seven hundred and forty-three of the acts of nineteen hundred and fifty-seven and such sums as may be appropriated therefor. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before the fourth Wednesday of January, nineteen hundred and sixty.

Approved April 6, 1959.

Chap. 19. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO PROVIDING FOR A SUITABLE MEMORIAL IN THE NEW ARCHIVES BUILDING TO THE LATE EDWARD J. CRONIN.

Resolved, That an unpaid special commission, to consist of one member of the senate to be designated by the president thereof, one member of the house of representatives to be designated by the speaker thereof, one person to be appointed by the governor, the secretary of the commonwealth and the archivist of the commonwealth, is hereby established for the purpose of making an investigation and study relative to providing for a suitable memorial in the new archives building to the late Edward J. Cronin, secretary of the commonwealth from nineteen hundred and forty-nine to nineteen hundred and fifty-eight. Said commission shall be provided with quarters in the state house or

elsewhere, may travel within and without the commonwealth and may expend for clerical and expert services, and for such plans, designs and models, and for such other services and expenses as may be necessary or desirable to accomplish the purposes of this resolve such sums as may be appropriated therefor. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the house of representatives on or before May fifteenth in the current year.

Approved April 6, 1959.

Chap. 20. RESOLVE AUTHORIZING THE CREDIT UNION LEAGUE OF MASSACHUSETTS, INC. TO ERECT IN THE STATE HOUSE A TABLET IN MEMORY OF PIERRE JAY, FIRST BANK COMMISSIONER OF THE COMMONWEALTH.

Resolved, That the Credit Union League of Massachusetts, Inc., the oldest credit union league in the United States, is hereby authorized to erect a bronze tablet in memory of Pierre Jay, first bank commissioner of Massachusetts, whose vision and courage brought the credit union movement to the commonwealth. Said tablet shall be approved and placed in such location in the division of banks and loan agencies of the department of banking and insurance in the state house as may be selected by the art commission. All expenses in connection with said tablet and the erection thereof shall be borne by the Credit Union League of Massachusetts, Inc.

Approved April 6, 1959.

Chap. 21. RESOLVE IN FAVOR OF WILFRED J. AND CORA R. MARCOUX.

Resolved, That for the purpose of discharging a moral obligation of the commonwealth and subject to appropriation, there shall be allowed and paid out of the state treasury to Wilfred J. and Cora R. Marcoux, jointly, the sum of two thousand dollars as compensation for damages to their property at Lake Ellis in the town of Athol during floods in the years nineteen hundred and fifty-five and nineteen hundred and fifty-six said damages resulting from the negligent construction by the department of public works of a drainage facility appurtenant to the Route 2 by-pass, so called, off Beach street in the said town. No payment shall be made hereunder until there has been filed with the comptroller an agreement signed by said Wilfred J. and Cora R. Marcoux, jointly, that the amount, if any, paid or to be paid for legal services rendered in connection with the passage of this resolve shall not exceed ten per cent of the amount payable hereunder.

Approved April 13, 1959.

Chap. 22. RESOLVE PROVIDING FOR AN ANNUITY FOR JAMES J. MURPHY OF FALL RIVER, A FORMER MEMBER OF THE STATE POLICE.

Resolved, That, for the purpose of discharging a moral obligation of the commonwealth, there be allowed and paid out of the state treas-

ury to James J. Murphy of Fall River, formerly a member of the state police, an annuity of twelve hundred dollars per year, payable in equal monthly instalments, for a period of five years commencing June first, nineteen hundred and fifty-nine. Said annuity shall cease upon the death of said James J. Murphy if it occurs prior to the expiration of said period of five years. No payment shall be made hereunder until there has been filed with the comptroller an agreement signed by said James J. Murphy that the amount, if any, paid or to be paid for legal services rendered in connection with the passage of this resolve shall not exceed ten per cent of the maximum amount payable hereunder.

Approved April 13, 1959.

Chap. 23. RESOLVE IN FAVOR OF REGINA BUCHARELLI AND ALFRED TRIFONE, BOTH OF CHARLTON.

Resolved, That for the purpose of discharging a moral obligation of the commonwealth and subject to appropriation therefor, there shall be allowed and paid out of the state treasury to Regina Bucharelli and Alfred Trifone, both of Charlton, the sum of fourteen hundred dollars and seven hundred dollars, respectively, as reimbursement to them for expenses sustained in the loss of a well, the water of which was rendered unfit for drinking in the year nineteen hundred and fifty-seven through the leaking of chlorides into said well from a pile of treated sand maintained nearby by the department of public works. No payment shall be made hereunder until there has been filed with the comptroller agreements signed by said Regina Bucharelli and Alfred Trifone, respectively, that the amounts, if any, paid or to be paid for legal services rendered in connection with the passage of this resolve shall not exceed, in either case, ten per cent of the amount paid or payable hereunder.

Approved April 13, 1959.

Chap. 24. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO THE PROCEDURE ON APPEALS FROM THE DEPARTMENT OF PUBLIC UTILITIES.

Resolved, That the judicial council be requested to investigate the subject matter of current senate document numbered 165, relative to the procedure on appeals from the department of public utilities, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

Approved April 21, 1959.

Chap. 25. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROHIBITING THE PRACTICE OF LAW BY REAL ESTATE BROKERS AND CONSTABLES.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 1962, relative to prohibiting the practice of law by real estate brokers and constables,

and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

Approved April 21, 1959.

Chap. 26. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO FURTHER DEFINING THE DUTIES OF A TRIAL JUDGE IN CERTAIN ACTIONS AT LAW IN THE SUPERIOR COURT.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 1557, relative to further defining the duties of a trial judge in certain actions at law in the superior court, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the year nineteen hundred and fifty-nine.

Approved April 21, 1959.

Chap. 27. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO RESTRICTING TO CERTAIN ACTIONS OF CONTRACT THE PARTIAL REMOVAL OF SUCH ACTIONS FROM THE DISTRICT COURTS TO THE SUPERIOR COURT.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 2284, relative to restricting to certain actions of contract the partial removal of such actions from the district courts to the superior court, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

Approved May 6, 1959.

Chap. 28. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO THE NON-CRIMINAL DISPOSITION OF CHARGES FOR VIOLATIONS OF MOTOR VEHICLE PARKING RULES.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 474, relative to the non-criminal disposition of charges for violations of motor vehicle parking rules, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

Approved May 11, 1959.

Chap. 29. RESOLVE REVIVING AND FURTHER CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE PROBLEMS OF TAXATION.

Resolved, That the unpaid special commission, known as the special commission on taxation, established by chapter eighty-six of the re-

solves of nineteen hundred and forty-eight and most recently continued by chapter one hundred and ten of the resolves of nineteen hundred and fifty-eight, is hereby revived and further continued for the purpose of continuing its investigation and study relative to the problems of taxation. Said commission shall make an investigation and study of the general subject of taxation in the commonwealth, including among other things the assessment and collection of taxes and the distribution of such taxes to the cities and towns. Said commission shall also make such investigation and study with a view to the revision and codification of the laws relating to taxation and to the recommending of such changes therein and additions thereto as may appear necessary or desirable.

Said commission may hold public hearings and may call upon officials of the commonwealth or its subdivisions for such information as it may desire in the course of its investigation and study, shall be provided with quarters in the state house or elsewhere, and shall have the power to summon witnesses and to require the production of books, records, contracts and papers and the giving of testimony under oath. Said commission may expend for expert, clerical and other services and expenses the balance available in item 0239-00 of section two of chapter six hundred and eighty-eight of the acts of nineteen hundred and fifty-six, and such additional sums as may be appropriated therefor.

Said commission shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives from time to time, but the final report shall be filed not later than the fourth Wednesday of January, nineteen hundred and sixty-one.

Approved May 12, 1959.

Chap. 30. RESOLVE CONTINUING THE INVESTIGATION AND STUDY BY THE MASSACHUSETTS REHABILITATION COMMISSION RELATIVE TO EQUIPPING AND MAINTAINING OF SHELTERED WORKSHOPS BY MUNICIPAL CORPORATIONS AND RELATIVE TO THE NEED FOR SUCH WORKSHOPS FOR THE TRAINING AND EMPLOYMENT OF THE DISABLED IN THE COMMONWEALTH.

Resolved, That the Massachusetts rehabilitation commission is hereby authorized and directed to continue its investigation and study authorized by chapter sixty-two of the resolves of nineteen hundred and fifty-eight, relative to the equipping and maintaining of sheltered workshops by municipal corporations and relative to the need for such workshops for the training and employment of the disabled in the commonwealth. Said commission shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Tuesday of December in the current year.

Approved May 18, 1959.

- Chap. 31.** RESOLVE PROVIDING FOR A CONTINUATION OF THE STUDY BY THE DEPARTMENT OF MENTAL HEALTH RELATIVE TO THE PROGRESS OF PSYCHIATRIC AND ADJUNCTIVE SERVICES NOW PROVIDED FOR THE COURTS AND CORRECTION FACILITIES.

Resolved, That the department of mental health is hereby authorized and directed to continue a study and investigation relative to the progress of psychiatric and adjunctive services now provided for the courts and correction facilities of this commonwealth, and to continue its study and investigation into pertinent matters regarding responsibility and competency as defined by law and determined in the courts of the commonwealth, until the first Wednesday of December, nineteen hundred and fifty-nine, at or before which time said department shall report to the general court, by filing a report with the clerk of the house of representatives, the results of its study and investigation, so continued, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect. For the purposes of this resolve there may be expended such sums as may be appropriated therefor.

Approved May 25, 1959.

- Chap. 32.** RESOLVE FURTHER INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE SYSTEMS OF SEWERAGE AND SEWAGE DISPOSAL IN THE NORTH AND SOUTH METROPOLITAN SEWERAGE DISTRICTS AND IN THE CITY OF BOSTON, AND THE METROPOLITAN WATER SUPPLY SYSTEM.

Resolved, That the unpaid special commission established by chapter one hundred and twenty-nine of the resolves of nineteen hundred and fifty-six, the time for filing whose report was extended by chapter one hundred and fifty-eight of the resolves of nineteen hundred and fifty-eight, shall, in making its investigation and study, consider the subject matter of current house documents numbered 1227, authorizing the metropolitan district commission to construct certain improvements and extensions to the distribution system of the metropolitan water district and to borrow money for the construction thereof, and 1652, providing for a study of the metropolitan district commission by a special commission relative to the cost, delay and management of the Deer Island section of its sewage project.

Approved May 25, 1959.

- Chap. 33.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE STATE TAX COMMISSION RELATIVE TO PROVIDING AN EXEMPTION FROM TAXATION OF THE REAL ESTATE OF CERTAIN ELDERLY PERSONS.

Resolved, That the state tax commission is hereby authorized and directed to make an investigation and study of the subject matter of current house document numbered 418, relative to providing an exemption from taxation of the real estate of certain elderly persons. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts

of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the fourth Wednesday of January, nineteen hundred and sixty.

Approved May 25, 1959.

Chap. 34. RESOLVE IN FAVOR OF PETER GEORGE ASIAF.

Resolved, That, for the purpose of promoting the public good, there be allowed and paid out of the state treasury to Peter George Asiaf, a member of the house of representatives, the salary to which he would have been entitled had he been a member on the first day of the current session of the general court.

Approved May 25, 1959.

Chap. 35. RESOLVE IN FAVOR OF JOHN J. FITZGERALD.

Resolved, That, for the purpose of promoting the public good, there be allowed and paid out of the state treasury to John J. Fitzgerald, a member of the house of representatives, the salary to which he would have been entitled had he been a member on the first day of the current session of the general court.

Approved May 25, 1959.

Chap. 36. RESOLVE FURTHER CONTINUING THE INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC HEALTH RELATIVE TO EQUINE ENCEPHALITIS.

Resolved, That the department of public health is hereby authorized and directed to continue further the investigation and study authorized by chapter thirty-seven of the resolves of nineteen hundred and fifty-seven and continued by chapter one hundred and eleven of the resolves of nineteen hundred and fifty-eight, relative to the spread and the means of control of equine encephalitis, otherwise known as horse sleeping sickness, which causes a fatal disease in man. Said department shall, in the course of its investigation and study, confer and co-operate with such agencies of the commonwealth or any political divisions thereof, and with such civic and other associations or organizations as may be engaged in making a study and investigation of said disease. Said department shall also invite the assistance and co-operation of the public health service and any other federal agency that may have an interest in the problem. For said purpose said department may expend for services, traveling expenses, materials, equipment and supplies, the unexpended balance made available by chapter one hundred and eleven of the resolves of nineteen hundred and fifty-eight and an additional sum not exceeding ten thousand dollars from sums available in item 2003-01 of section two of chapter four hundred and thirty-four of the acts of nineteen hundred and fifty-eight. Said department shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of December in the current year.

Approved May 25, 1959.

- Chap. 37.** RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROVIDING THAT UNINCORPORATED ASSOCIATIONS EXCEPT LABOR UNIONS MAY SUE AND BE SUED AND PROVIDING THAT SERVICE OF PROCESS UPON AN ELECTED OFFICER OF SUCH AN ASSOCIATION SHALL BE SUFFICIENT SERVICE.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 2810, providing that unincorporated associations except labor unions may sue and be sued and providing that service of process upon an elected officer of such an association shall be sufficient service, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

Approved May 25, 1959.

- Chap. 38.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY RELATIVE TO THE MAKING OF THE TERMS OF CERTAIN STATE OFFICERS COTERMINOUS WITH THE TERM OF THE GOVERNOR, AND RELATIVE TO A REVIEW OF CERTAIN APPOINTIVE RESPONSIBILITY NOW VESTED IN THE GOVERNOR.

Resolved, That the joint committee on state administration is hereby authorized to sit during the recess of the general court for the purpose of making an investigation and study of so much of the governor's address (Senate, No. 1) as relates to making the terms of the budget commissioner, the director of personnel and standardization, and the comptroller concurrent with that of the governor, and so much thereof as relates to a review of appointive responsibilities vested in the chief executive of the commonwealth. Said committee shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the house of representatives on or before the fourth Wednesday in January in the year nineteen hundred and sixty.

Approved May 26, 1959.

- Chap. 39.** RESOLVE FURTHER AUTHORIZING THE DEPARTMENT OF PUBLIC UTILITIES TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE ESTABLISHMENT OF A STATE-WIDE SAFETY CODE COVERING THE INSTALLATION OF GAS FACILITIES WITHIN BUILDINGS.

Resolved, That the department of public utilities is hereby further authorized and directed to make an investigation and study relative to the establishment of a state-wide safety code covering the installation of gas facilities within buildings, and specifically the advisability of adopting the provisions of the American Standards Association, Inc. code Z21.30.1954 as approved by the American Gas Association, Inc.

In the course of its investigation and study, said department shall

consider the subject matter of current senate document numbered 499. Said department shall report to the general court the results of its investigation and study, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the senate from time to time but not later than the fourth Wednesday of January, nineteen hundred and sixty.

Approved May 26, 1959.

Chap. 40. RESOLVE REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE PAYMENT BY THE COMMONWEALTH TO THE TOWN OF AMHERST OF A SUM OF MONEY IN LIEU OF TAXES ON CERTAIN BUILDINGS.

Resolved, That the unpaid special commission established by chapter one hundred and thirty-three of the resolves of nineteen hundred and fifty-eight is hereby revived and continued for the purpose of continuing its investigation and study relative to the payment by the commonwealth to the town of Amherst of a sum of money in lieu of taxes on buildings on the grounds of the University of Massachusetts used for faculty housing.

Said commission shall be provided with quarters at the University of Massachusetts or elsewhere, shall hold public hearings, and may expend for clerical and other assistance such sums as may be appropriated therefor. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the fourth Wednesday of January, nineteen hundred and sixty.

Approved May 26, 1959.

Chap. 41. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE ACTIVITIES OF ACCIDENT AND HEALTH INSURANCE COMPANIES, THE ISSUANCE OF CREDIT LIFE, HEALTH AND ACCIDENT INSURANCE TO CREDITORS IN CONNECTION WITH FINANCE CONTRACTS, AND OTHER MATTERS.

Resolved, That the unpaid special commission established by chapter one hundred and three of the resolves of nineteen hundred and fifty-six, revived and continued by chapter forty-one of the resolves of nineteen hundred and fifty-eight, and further continued by chapter one hundred and fifty-three of the resolves of nineteen hundred and fifty-eight, to make an investigation and study relative to the activities of accident and health insurance companies, the issuance of credit life, health and accident insurance to creditors in connection with finance contracts, and other matters, shall, in the course of its investigation and study, consider the subject matter of current house documents numbered 1120, relative to maternity benefits under health insurance policies and non-profit hospital service and medical service plans;

1936, relative to providing for the incorporation of a domestic variable annuity insurance company and for the regulation thereof; and 2647, relative to default in payment of premiums or interest on policy loans during a strike of insurance agents. *Approved May 26, 1959.*

Chap. 42. RESOLVE CONTINUING THE INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC HEALTH RELATIVE TO ESTABLISHING A WARD FOR THE TREATMENT OF CERTAIN PERSONS IN THE LEMUEL SHATTUCK HOSPITAL.

Resolved, That the department of public health is hereby authorized and directed to continue its investigation and study, authorized by chapter one hundred and forty-five of the resolves of nineteen hundred and fifty-eight, relative to establishing a ward for the treatment of certain persons in the Lemuel Shattuck hospital. Said department shall report to the general court the results of its study and investigation and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect by filing the same with the clerk of the house of representatives on or before the fourth Wednesday of January, nineteen hundred and sixty.

Approved May 26, 1959.

Chap. 43. RESOLVE FURTHER EXTENDING THE TIME WITHIN WHICH THE WATER RESOURCES COMMISSION SHALL FILE ITS REPORT ON THE WATER RESOURCES AND SEWERAGE DISPOSAL FACILITIES ON PLUM ISLAND.

Resolved, That the time within which the water resources commission shall make its report to the general court of its survey of the water resources and sewerage disposal facilities of Plum Island, as authorized by chapter seventy-three of the resolves of nineteen hundred and fifty-seven, having most recently been extended by chapter one hundred and thirty-two of the resolves of nineteen hundred and fifty-eight, is hereby further extended to the first Wednesday of December, nineteen hundred and fifty-nine.

Approved June 1, 1959.

Chap. 44. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE A STUDY RELATIVE TO THE ORGANIZATION AND OPERATION OF THE METROPOLITAN DISTRICT COMMISSION AND OTHER MATTERS.

Resolved, That the unpaid special commission established by chapter one hundred and forty of the resolves of nineteen hundred and fifty-eight and revived and continued by chapter six of the resolves of the current year shall, in the course of its investigation and study, consider the subject matter of current house document numbered 2019, relative to transferring certain land now owned by the metropolitan district commission on South Border road, Medford, to the city of Medford for housing.

Approved June 1, 1959.

- Chap. 45.** RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO INVESTIGATE AND STUDY CERTAIN MATTERS PERTAINING TO THE INDUSTRIAL AND ECONOMIC DEVELOPMENT AND PROSPERITY OF THE COMMONWEALTH.

Resolved, That the unpaid special commission established by chapter ninety-six of the resolves of nineteen hundred and fifty-five and most recently revived and continued by chapter seventeen of the resolves of the current year shall, in the course of its investigation and study, consider the subject matter of current house document numbered 898, relative to providing for advertising and promoting the vacation and resort attractions of the commonwealth, creating the Massachusetts vacation and resort commission within the department of commerce, prescribing its powers and duties, and providing for the allocation and disbursement of appropriations in carrying out its provisions.

Approved June 1, 1959.

- Chap. 46.** RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE A STUDY RELATIVE TO THE ORGANIZATION AND OPERATION OF THE METROPOLITAN DISTRICT COMMISSION AND OTHER MATTERS.

Resolved, That the unpaid special commission established by chapter one hundred and forty of the resolves of nineteen hundred and fifty-eight and revived and continued by chapter six of the resolves of the current year shall, in the course of its study, consider the subject matter of current senate document numbered 251, relative to authorizing the metropolitan district commission to replace certain athletic facilities taken by eminent domain in the city of Medford; of current house document numbered 779, relative to providing further preference for career employees of the metropolitan district commission; of the investigation and study proposed by current house document numbered 1623, relative to recreational areas within the jurisdiction of the metropolitan district commission; of current house document numbered 1632, relative to authorizing the metropolitan district commission to appropriate the necessary funds to construct certain athletic facilities in the city of Medford; of the investigation and study proposed by current house document numbered 1638, relative to consolidating twenty-two cities and towns in greater Boston into one city; of current house document numbered 2021, relative to the reimbursement of cities and towns for loss of taxes on land used by the metropolitan district commission for recreational purposes; and of current house document numbered 2309, relative to providing a preference for certain metropolitan district commission employees in relation to the installation of sewerage treatment plants.

Approved June 1, 1959.

- Chap. 47.** RESOLVE INCREASING THE SCOPE OF THE STUDY RELATIVE TO THE ELIMINATION OR CONTROL OF SUBMERGED WEEDS IN CERTAIN GREAT PONDS OF THE COMMONWEALTH.

Resolved, That the department of public health, the department of public works and the department of natural resources, acting as a

joint board, authorized and directed to make an investigation and survey relative to the elimination and control of submerged weeds in certain great ponds and tidal estuaries of the commonwealth, by chapter sixty-seven of the resolves of nineteen hundred and fifty-three, which investigation and survey was continued by chapter one hundred and twelve of the resolves of nineteen hundred and fifty-eight shall, in the course of its investigation and survey, consider the subject matter of current house document numbered 192, relative to the elimination and control of submerged weeds in Lake Quinsigamond and its tributary streams. For such purpose said board may employ such experts in the use of herbicides as it deems necessary.

Approved June 1, 1959.

Chap. 48. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE A STUDY RELATIVE TO THE ORGANIZATION AND OPERATION OF THE METROPOLITAN DISTRICT COMMISSION AND OTHER MATTERS.

Resolved, That the special commission established by chapter one hundred and forty of the resolves of nineteen hundred and fifty-eight, and revived and continued by chapter six of the resolves of the current year, shall in the course of its investigation and study consider the subject matter of current house documents numbered 506, clarifying the duties and powers of the commissioner of the metropolitan district commission; 1225, transferring to the metropolitan district commission the care, control and maintenance of certain public highway bridges; 1653, providing for an investigation and study by a special commission relative to the reorganization of the metropolitan district commission; 2052, relative to increasing the membership of the metropolitan district commission; 2062, relative to enlarging the metropolitan district commission; and 2310, providing for an investigation and study by a special commission relative to construction of locks at Malibu bridge and a lagoon type beach at Savin Hill in the Dorchester district of the city of Boston by the metropolitan district commission.

Approved June 1, 1959.

Chap. 49. RESOLVE AUTHORIZING THE WACHUSETT MOUNTAIN STATE RESERVATION COMMISSION TO INVESTIGATE THE ADVISABILITY OF INSTALLING A SKI RUN AND OTHER WINTER SPORT FACILITIES ON THE NORTHERLY SLOPE OF MOUNT WACHUSETT.

Resolved, That the Wachusett Mountain State Reservation Commission is hereby authorized and directed to make an investigation of the advisability and feasibility of installing a ski run and other sport facilities on the northerly slope of Mount Wachusett. For such purpose the said commission may expend such sums as may be appropriated therefor. Said commission shall report to the General Court the results of its investigation and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations

into effect, by filing the same with the clerk of the house of representatives on or before the fourth Wednesday of January, nineteen hundred and sixty.

Approved June 1, 1959.

Chap. 50. RESOLVE CONTINUING THE STUDY BY THE WATER RESOURCES COMMISSION OF THE WATER RESOURCES OF THE WARE, QUABOG AND QUINEBAUG RIVER VALLEYS.

Resolved, That the water resources commission is hereby authorized and directed to continue the study authorized by chapter ninety-six of the resolves of nineteen hundred and fifty-eight relative to the water resources of the Ware, Quabog and Quinebaug river valleys. Said commission shall consult with the appropriate officers and boards of the municipalities and counties affected, shall hold at least one public hearing, giving proper notice thereof, and may request the assistance of such governmental agencies, local, state and federal as will further the purpose herein set forth. Said commission may expend for engineering, technical and clerical assistance and expenses such sums as may hereafter be appropriated therefor. Said commission shall report from time to time to the general court the results of its study and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, and shall file its final report with the clerk of the senate on or before the first Wednesday of December in the year nineteen hundred and sixty.

Approved June 1, 1959.

Chap. 51. RESOLVE REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO STUDY AND INVESTIGATE COMMUNISM AND SUBVERSIVE ACTIVITIES AND RELATED MATTERS IN THE COMMONWEALTH.

Resolved, That the unpaid special commission established by chapter eighty-nine of the resolves of nineteen hundred and fifty-three and most recently revived and continued by chapter thirty-four of the resolves of nineteen hundred and fifty-eight is hereby further revived and continued for the purpose of continuing its investigation and study of the extent, character and objects of communism and subversive activities and related matters within the commonwealth; the diffusion within the commonwealth of subversive and un-American propaganda that is instigated from foreign countries, or of a domestic origin, and attacks the principle of the form of government as guaranteed by our constitution and all other questions in relation thereto that would aid the general court in enacting any necessary remedial legislation.

Said commission in making its investigation shall consider all the aspects of such activities, including, but not limiting its investigation thereto, educational, governmental, industrial and political activities. Said commission shall be provided with quarters in the state house or elsewhere, shall hold public hearings, may travel within and without the commonwealth, may sit during the session and recess of the general court, may require by summons the attendance of such witnesses and

the production of such books, papers and documents, and take such testimony as it deems necessary.

Upon a majority vote of the commission, summonses shall be issued under the signature of the chairman or vice chairman, and shall be served by an officer of the general court or by any person designated by the commission. The chairman or any member of the commission may administer oaths to witnesses. Every person who behaves in a disorderly or contemptuous manner before such commission shall be deemed guilty of a misdemeanor punishable as provided in section twenty-eight A of chapter three of the General Laws.

The subject of any investigation in connection with which witnesses are summoned shall be clearly stated before the commencement of any hearings and the evidence sought to be elicited shall be relevant and germane to the subject as so stated.

Any witness summoned at a public hearing and any witness before a private hearing shall have the right to be accompanied by counsel, who shall be permitted to advise the witness while on the witness stand of his rights.

Every witness shall have the opportunity at the conclusion of the examination by the commission to supplement the testimony which he has given by making a written or oral statement, which shall be made part of the record, but such statement shall be confined to matters with regard to which he has previously been examined.

Any person whose name is mentioned or who is specifically identified and who believes that testimony or other evidence given in a public hearing before the commission or any subcommittee thereof or comment made by any member of the commission or its counsel tends to defame him or otherwise adversely affects his reputation, shall be afforded the following privileges:—

(a) He may file with the commission a sworn statement concerning such testimony, evidence or comment, which shall be made part of the record of such hearing.

(b) He may appear personally before the commission and testify in his own behalf.

Said commission, during its investigation, shall have the assistance of the attorney general, the department of education and such other departments, boards, commissions and officers of the state government as may be requested by said commission to assist and co-operate.

Said commission shall report its findings to the general court at such time or times as it may deem advisable, but in any event shall file a final report not later than the first day of February, nineteen hundred and sixty. Such report may include the name and all other identifying data available to the commission, of any individual, concerning whom, the commission, during the course of the investigation, has received creditable evidence that such individual was or is a member of the communist party, a communist or a subversive. Said commission may expend for expenses and legal, clerical and other assistance, the balance available in item 0298-00 of section two of chapter one hundred and ninety-seven of the acts of nineteen hundred and fifty-four, the balance available in item 0298-00 of section two of chapter seven hundred and eighty-four of the acts of nineteen

hundred and fifty-five, the balance available in item 0298-00 of section two of chapter seven hundred and forty-six of the acts of nineteen hundred and fifty-six, and such sums as may be appropriated therefor.

Approved June 1, 1959.

Chap. 52. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL PROVIDING THAT A PERSON OPERATING A MOTOR VEHICLE WITH THE CONSENT OF A PERSON AUTHORIZED TO USE THE SAME BY THE OWNER THEREOF SHALL, FOR THE PURPOSES OF COMPULSORY MOTOR VEHICLE LIABILITY INSURANCE, BE DEEMED TO OPERATE SAID VEHICLE WITH THE IMPLIED CONSENT OF THE OWNER THEREOF.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 1935, providing that a person operating a motor vehicle with the consent of a person authorized to use the same by the owner thereof shall, for the purposes of compulsory motor vehicle liability insurance, be deemed to operate said vehicle with the implied consent of the owner thereof, and to include its conclusions and its recommendations, if any, in relation thereto, with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

Approved June 1, 1959.

Chap. 53. RESOLVE PROVIDING FOR THE FREE DISTRIBUTION OF SURPLUS VOLUMES OF THE TERCENTENARY EDITION OF THE GENERAL LAWS TO LIBRARIES AND SCHOOLS.

Resolved, That the state secretary may distribute as many copies of the Tercentenary Edition of the General Laws, together with the index thereto, to libraries and schools in the commonwealth without charge as he may, in his discretion, deem warranted, having regard for the number of said copies and indices remaining on hand.

Approved June 1, 1959.

Chap. 54. RESOLVE CONTINUING THE INVESTIGATION BY THE WATER RESOURCES COMMISSION RELATIVE TO THE WATER SUPPLY OF MUNICIPALITIES IN THE MERRIMACK RIVER VALLEY AND INCREASING THE SCOPE THEREOF.

Resolved, That the water resources commission is hereby authorized and directed to continue the investigation authorized by chapter one hundred and one of the resolves of nineteen hundred and fifty-eight, relative to the water supply of municipalities in the Merrimack River Valley. Said commission shall, in the course of its investigation, consider the subject matter of current house document numbered 215, relative to an investigation of the water supply needs and resources of the municipalities of the county of Essex.

Said commission may expend for the employment of engineers, geologists and other experts and assistants, and for other expenses, such sums as may be appropriated therefor.

Said commission may report to the general court from time to time the results of its investigation and its recommendations, if any, together with plans showing possible water resource developments and estimates of cost, and drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the senate, and shall so file its final report not later than the first Wednesday of December in the year nineteen hundred and sixty-one.

Approved June 1, 1959.

Chap. 55. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE USE OF PESTICIDES AND THE EFFECTS OF AERIAL AND GROUND SPRAYING OF INSECTS AND CROPS WITHIN THE COMMONWEALTH.

Resolved, That an unpaid special commission is hereby established for the purpose of making an investigation and study relative to the use of pesticides and the effects of aerial and ground spraying of insects and crops within the commonwealth. The members of said commission shall be appointed by the governor and shall consist of one representative from each of the following: the University of Massachusetts, the department of natural resources, the department of public health, the department of agriculture, the state reclamation board, the metropolitan district commission, the department of public works and the Massachusetts conservation council. Said commission may apply for any federal funds available for similar or related programs and may co-operate with any federal agency organized or engaged in similar activities. It shall avail itself of the general information collected by such organizations. It shall consider the setting up of a central clearing organization with a view to preventing duplication of effort and any harmful effects in the use of such materials. Said commission shall be provided with quarters in the state house or elsewhere, may expend for clerical, travel and other services and expenses such sums as may hereafter be appropriated therefor. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the house of representatives on or before the fourth Wednesday of January, nineteen hundred and sixty.

Approved June 1, 1959.

Chap. 56. RESOLVE REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE ESTABLISHMENT OF AN ATOMIC ENERGY INDUSTRIAL RESEARCH CENTER.

Resolved, That the unpaid special commission established by chapter seventy-seven of the resolves of nineteen hundred and fifty-seven

and revived and continued by chapter sixty-seven of the resolves of nineteen hundred and fifty-eight, is hereby further revived and continued for the purpose of continuing its investigation and study relative to the establishment of an atomic energy industrial research center. Said commission shall be provided with quarters in the state house or elsewhere, may hold hearings, may require by summons the attendance and testimony of witnesses and the production of books and papers, may travel within and without the commonwealth, and may expend for expert, legal, clerical and other services and expenses the unexpended balance available in item 0258-06 of section two of chapter seven hundred and forty-three of the acts of nineteen hundred and fifty-seven, and such other sums as may be appropriated therefor. Said commission shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the fourth Wednesday of January, nineteen hundred and sixty.

Approved June 1, 1959.

Chap. 57. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE RETIREMENT LAW COMMISSION RELATIVE TO CERTAIN MATTERS RELATING TO THE RETIREMENT LAW.

Resolved, That the retirement law commission is hereby authorized and directed to make an investigation and study of the subject matter of current senate document numbered 292, relative to exempting certain disabled persons from the law providing for the annual adjustment of pensions and retirement allowance payable to persons engaged in gainful occupation after retirement for disability and of current house documents numbered 826, relative to the maximum retirement allowance under the contributory retirement law, and 1249, relative to transferring to retirement boards the responsibility for administration of certain non-contributory pension legislation.

Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the fourth Wednesday of January, nineteen hundred and sixty.

Approved June 1, 1959.

Chap. 58. RESOLVE REVIVING AND CONTINUING AND INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO HUNTING AND FISHING WITHIN THE COMMONWEALTH AND CERTAIN MATTERS RELATING THERETO.

Resolved, That the unpaid special commission established by chapter eighty-four of the resolves of nineteen hundred and fifty-five, and most recently revived and continued by chapter forty-two of the resolves of nineteen hundred and fifty-eight is hereby further revived

and continued for the purpose of continuing its investigation and study relative to hunting and fishing within the commonwealth and certain matters relating thereto.

Said commission shall, in the course of its investigation and study, consider the subject matter of current senate document numbered 36, relative to making it lawful for any inhabitant of the commonwealth to take fish by dragging or by otter trawling in certain waters adjacent to Provincetown, Truro and Wellfleet; and of current house documents numbered 93, relative to marine fish and fisheries relating to the suspension and revocation of certain licenses and permits; 98, relative to marine fish and fisheries; 110, relative to the propagation of shellfish; 994, relative to abolishing certain forest warden fire service in Essex county; 997, relative to further regulating the taking of lobsters and crabs; 1843, relative to fees to be paid to the director of the division of marine fisheries for issuance of certain certificates and permits and establishing and setting up on the books of the commonwealth a separate fund to be known as the marine fisheries fund; and 2457, Appendix A, relative to making uniform the penalties contained in the various laws prohibiting the use of beam or otter trawl in the taking of fish from territorial waters.

Said commission shall be provided with quarters in the state house or elsewhere, may hold public hearings, shall have the power to summon witnesses and to require the production of books, records and papers and the giving of testimony under oath, may travel within and without the commonwealth, and may expend the unexpended balance available in item 0256-06 of section two of chapter seven hundred and forty-three of the acts of nineteen hundred and fifty-seven, and such additional sums as may be appropriated therefor.

Said commission may report from time to time and shall make its final report to the general court with the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the house of representatives on or before the fourth Wednesday of January, nineteen hundred and sixty.

Approved June 1, 1959.

Chap. 59. RESOLVE REVIVING AND FURTHER CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO RETARDED CHILDREN AND THE TRAINING FACILITIES AVAILABLE THEREFOR.

Resolved, That the unpaid special commission established by chapter seventy-seven of the resolves of nineteen hundred and fifty-two, and most recently revived and continued by chapter seventy-four of the resolves of nineteen hundred and fifty-eight, is hereby further revived and continued for the purpose of continuing its investigation and study relative to the number of retarded children in the commonwealth and the training facilities available for their instruction, and fitting said children for community living.

Said commission shall be provided with suitable quarters in the state house or elsewhere, may hold hearings, may require by summons

the attendance and testimony of witnesses and the production of books and papers, may travel within and without the commonwealth, and may expend for clerical and other services the unexpended balance available in item 0245-00 of section two of chapter seven hundred and forty-three of the acts of nineteen hundred and fifty-seven, and such other sums as may be appropriated therefor. Said commission shall report to the general court the results of its investigation and study, and its recommendations, together with drafts of legislation necessary to carry such recommendations into effect by filing one or more reports with the clerk of the house of representatives from time to time, and by filing its final report on or before the fourth Wednesday of January, nineteen hundred and sixty. *Approved June 1, 1959.*

Chap. 60. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO FIRE AND SAFETY LAWS IN RELATION TO SCHOOL BUILDINGS.

Resolved, That an unpaid special commission, to consist of two members of the senate to be designated by the president thereof, three members of the house of representatives to be designated by the speaker thereof, and two persons to be appointed by the governor, is hereby established for the purpose of making an investigation and study relative to fire and safety laws in relation to school buildings with a view to revising and amending the same and thereby promote the safety of the occupants of said school buildings. Said commission shall be provided with quarters in the state house or elsewhere, may hold hearings, may require by summons the attendance and testimony under oath of witnesses and the production of books and papers, may travel within and without the commonwealth and may expend for clerical and other assistance, and for expenses, such sums as may be appropriated therefor. Said commission shall report the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the senate on or before the last Wednesday in January, nineteen hundred and sixty. *Approved June 9, 1959.*

Chap. 61. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE COMMISSIONER OF AGRICULTURE AND THE COMMISSIONER OF PUBLIC HEALTH RELATIVE TO LIVING AND WORKING CONDITIONS OF CERTAIN MIGRANT AND TEMPORARY LABORERS.

Resolved, That the commissioner of agriculture and the commissioner of public health or their designees, acting jointly, are hereby authorized and directed to make an investigation and study of the living and working conditions of migrant and temporary laborers employed in agriculture within the commonwealth. Said commissioners shall report to the general court the results of their investigation and study, and their recommendations, if any, together with drafts of legislation necessary to carry their recommendations into

effect, by filing the same with the clerk of the house of representatives on or before the fourth Wednesday of January, nineteen hundred and sixty.

Approved June 9, 1959.

Chap. 62. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE RETIREMENT LAW COMMISSION OF VARIOUS MATTERS RELATING TO COVERAGE OF PUBLIC EMPLOYEES UNDER THE FEDERAL SOCIAL SECURITY ACT.

Resolved, That the retirement law commission is hereby authorized and directed to make an investigation and study of the subject matter of current senate document numbered 305, relative to providing for the coverage of certain deputy sheriffs by the old age and survivors insurance provisions of Title II of the Federal Social Security Act; and of current house documents numbered 808, relative to the coverage of employees of housing authorities under the Federal Security Act; 822, relative to providing for the coverage of certain officers and employees of the commonwealth and political subdivisions thereof under the old age and survivors insurance provisions of the Social Security Act; 1259, relative to providing for the coverage of certain officers and employees of the commonwealth and political subdivisions thereof under the old age and survivors insurance provisions of the Social Security Act; of the investigation and study proposed by current house document numbered 1272, relative to the advisability of supplementing social security benefits by benefits from a special employer-employee contributory fund under state supervision; of current house documents numbered 1686, relative to providing that employees of the commonwealth shall participate in the retirement benefits provided by the Social Security Act; 2091, relative to providing for the coverage of certain officers and employees of the commonwealth and political subdivisions thereof under the old age and survivors insurance provisions of the Social Security Act; and 2095, relative to providing for the coverage of certain officers and employees of the commonwealth and political subdivisions thereof under the old age and survivors insurance provisions of the Social Security Act.

Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the fourth Wednesday of January, nineteen hundred and sixty.

Approved June 9, 1959.

Chap. 63. RESOLVE REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED FOR AN INVESTIGATION AND STUDY RELATIVE TO THE SYSTEMS OF SEWERAGE AND SEWAGE DISPOSAL IN THE NORTH AND SOUTH METROPOLITAN SEWERAGE DISTRICTS AND THE CITY OF BOSTON, AND THE WATER SYSTEMS IN SAID DISTRICTS.

Resolved, That the unpaid special commission established by chapter one hundred and twenty-nine of the resolves of nineteen hundred and fifty-six, and most recently revived and continued by chapter

thirty-six of the resolves of nineteen hundred and fifty-eight, and further continued by chapter one hundred and fifty-eight of the resolves of nineteen hundred and fifty-eight is hereby further revived and continued for the purpose of continuing its investigation and study relative to the systems of sewerage and sewage disposal in the north and south metropolitan sewerage districts and the city of Boston, and the metropolitan water supply system.

In making its investigation and study, said special commission shall specifically, but without limiting the generality of the foregoing, consider—

(a) The financial condition of said districts, with particular reference to the adequacy and fairness of the present rate for water furnished and the methods of assessing operating and other costs provided under existing statutes;

(b) The advisability of defining geographical limits to the extension of said water and sewerage districts;

(c) The adequacy of the provisions of existing statutes, and of the existing methods of enforcement thereof with respect to such matters as the approval of local sewerage works, with particular reference to methods of separating storm water and drains from facilities for disposal of sanitary sewage, and the prevention of pollution in the rivers and streams of the metropolitan area, resulting from the operation of municipalities or other public or private bodies;

(d) The adequacy of existing systems of sewage disposal of the municipalities which constitute the metropolitan sewerage districts and of the metropolitan district commission with particular reference to the adequacy and hydraulic characteristics of the old Neponset valley sewer, so-called, between the southern high level sewer, so-called, and its terminus in West Roxbury.

(e) The advisability of establishing an advisory board to be appointed by the governor upon recommendation of the mayors and boards of selectmen of the cities and towns constituting said districts for the purpose of representing the joint interests of said municipalities and of the public in consultation with the officials of the metropolitan district commission.

Said commission shall be furnished by the metropolitan district commission with such technical and other assistance as it may require, and shall have the right to call upon other state departments, boards or commissions for such information and assistance as it may deem necessary for its purposes. Said commission shall be provided with quarters in the state house or elsewhere, may travel within and without the commonwealth, may employ such engineering and other assistants and incur such expenses as may be necessary to carry out the purposes of this resolve, and for said purposes may expend the balance available in item 0257-14 as made available by chapter one hundred and forty-four of the resolves of nineteen hundred and fifty-seven and such additional sums as may be appropriated.

It is hereby further provided that expenditures made by said commission are to be assessed fifty per cent on the metropolitan water district; twenty-five per cent on the north metropolitan sewerage district; and twenty-five per cent on the south metropolitan sewerage district.

Said commission may report from time to time to the general court the results of its investigation and study hereunder, and its recommendations, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the senate, but in any event shall file its final report with said clerk on or before the last Tuesday in December, nineteen hundred and sixty.

Approved June 9, 1959.

Chap. 64. RESOLVE PROVIDING FOR A STUDY AND INVESTIGATION BY THE DEPARTMENT OF PUBLIC WORKS AND THE METROPOLITAN DISTRICT COMMISSION RELATIVE TO THE ADVISABILITY OF ESTABLISHING A PUBLIC BEACH ON THE NASHUA RIVER IN THE TOWN OF CLINTON.

Resolved, That the department of public works, through its division of waterways and the metropolitan district commission, acting as a joint board, are hereby authorized and directed to make an investigation and study of the advisability of establishing a public bathing beach on the Nashua river in the town of Clinton. Said joint board shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before the fourth Wednesday of January, nineteen hundred and sixty.

Approved June 9, 1959.

Chap. 65. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE DUTIES AND RESPONSIBILITIES OF THE FIRE DEPARTMENT OF THE CITY OF BOSTON.

Resolved, That an unpaid special commission to consist of two members of the senate to be designated by the president thereof, three members of the house of representatives to be designated by the speaker thereof, and two persons to be appointed by the governor, one of whom shall be a member of the Boston fire department, is hereby established for the purpose of making an investigation and study relative to the duties and responsibilities of the fire department of the city of Boston.

Said commission shall be provided with quarters in the state house or elsewhere, may hold public hearings, may travel within and without the commonwealth and may expend for clerical and other services and expenses such sums as may be appropriated therefor. Said commission shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect by filing the same with the clerk of the house of representatives not later than the fourth Wednesday of January, nineteen hundred and sixty.

Approved June 9, 1959.

- Chap. 66.** RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE PAYMENT BY THE COMMONWEALTH TO THE TOWN OF AMHERST OF A SUM OF MONEY IN LIEU OF TAXES ON CERTAIN BUILDINGS.

Resolved, That the unpaid special commission, established by chapter one hundred and thirty-three of the resolves of nineteen hundred and fifty-eight and revived and continued by chapter forty of the resolves of the current year for the purpose of making an investigation and study relative to the payment by the commonwealth to the town of Amherst of a sum of money in lieu of taxes on buildings on the grounds of the University of Massachusetts used for faculty housing, shall, in the course of its investigation and study, consider the subject matter of current house document numbered 1395, relative to providing for the payment of a sum of money by the University of Massachusetts to the town of Amherst, in lieu of taxes on certain buildings.

Approved June 9, 1959.

- Chap. 67.** RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO EXTENDING THE STATUTE OF LIMITATIONS IN CERTAIN ACTIONS OF TORT AND THE DISPOSITION OF UNTRIED INDICTMENTS AND COMPLAINTS.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 1960, providing for the disposition of untried indictments, informations or complaints and of current house document numbered 2530, extending the statute of limitations in actions of tort arising out of the operation of motor vehicles, and to include its conclusions and its recommendations, if any, in relation thereto, with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

Approved June 9, 1959.

- Chap. 68.** RESOLVE FURTHER REVIVING AND CONTINUING AND INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO INVESTIGATE AND STUDY THE ADVISABILITY OF THE ACQUISITION OF A BUILDING IN THE SPRINGFIELD AREA TO HOUSE VARIOUS BRANCHES OF THE STATE DEPARTMENTS; AND OF THE CONSTRUCTION OF A PUBLIC WORKS BUILDING IN THE CITY OF NORTHAMPTON.

Resolved, That the unpaid special commission established by chapter one hundred and fifty-one of the resolves of nineteen hundred and fifty-six and most recently revived and continued by chapter seventeen of the resolves of nineteen hundred and fifty-eight, is hereby further revived and continued for the purpose of making an investigation and study relative to the advisability of purchasing, leasing or erecting a building in the Springfield area to house the various branches of the state departments in that area; of the construction by the department

of public works of a public works building in the Greenfield area; and of the construction by the department of public works of a public works building in the city of Northampton.

Said commission shall be provided with quarters in the state house or elsewhere, may hold public hearings, may travel within the commonwealth; and may expend for clerical and other services and expenses the balance available in item 0257-21 of section two of chapter seven hundred and forty-six of the acts of nineteen hundred and fifty-six and such additional sums as may be appropriated therefor. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before the fourth Wednesday of January, nineteen hundred and sixty.

Approved June 12, 1959.

Chap. 69. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROVIDING THAT A LIFE TENANT SHALL BE CONSIDERED AN OWNER UNDER THE PROVISIONS AGAINST OBSOLETE MORTGAGES.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 2869, relative to providing that a life tenant shall be considered an owner under the provisions against obsolete mortgages, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

Approved June 12, 1959.

Chap. 70. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE FEASIBILITY OF CONTROL OF RETAIL INSTALLMENT CONTRACTS, AND INTEREST AND FINANCE CHARGES THEREON.

Resolved, That an unpaid special commission, to consist of two members of the senate to be designated by the president thereof, five members of the house of representatives to be designated by the speaker thereof, and two persons to be appointed by the governor, is hereby established for the purpose of making an investigation and study relative to the feasibility of control of retail installment contracts, and interest and finance charges therein. Said commission shall be provided with quarters in the state house or elsewhere, may hold hearings, and may expend for necessary assistance and expenses such sums, as may be appropriated therefor. Said commission shall report to the general court the results of its investigation, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the senate not later than the fourth Wednesday of January, nineteen hundred and sixty.

Approved June 12, 1959.

Chap. 71. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO INVESTIGATE AND STUDY THE SYSTEMS OF SEWERAGE AND SEWAGE DISPOSAL IN THE NORTH AND SOUTH METROPOLITAN SEWER DISTRICTS AND THE CITY OF BOSTON, AND THE METROPOLITAN WATER SYSTEM.

Resolved, That the unpaid special commission established by chapter one hundred and twenty-nine of the resolves of nineteen hundred and fifty-six and most recently revived and continued by chapter sixty-three of the resolves of nineteen hundred and fifty-nine, shall, in the course of its investigation and study, consider the subject matter of current house document numbered 2049, relative to authorizing the metropolitan district commission to make available land in Marlborough, Southborough and Framingham for the construction of an airport.

Approved June 22, 1959.

Chap. 72. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE STATE FIRE MARSHAL RELATIVE TO PROHIBITING THE SALE AND REGULATING THE USE OF CERTAIN PORTABLE SPACE HEATERS.

Resolved, That the state fire marshal is hereby authorized and directed to make an investigation and study relative to the subject matter of current house document numbered 2844, relative to prohibiting the sale and regulating the use of certain portable space heaters. The said state fire marshal shall report to the general court the results of his investigation and study and his recommendations, if any, together with drafts of legislation necessary to carry out the same by filing the same with the clerk of the senate on or before the first Wednesday in December in the current year.

Approved June 22, 1959.

Chap. 73. RESOLVE AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH TO MAKE AN INVESTIGATION AND STUDY OF THE MATTER OF ABATING THE STENCH NUISANCE IN THE SOUTH END OF NEW BEDFORD AT COVE ROAD.

Resolved, That the department of public health is hereby authorized and directed to make an investigation and study of the matter of abating the stench nuisance in the south end of New Bedford at Cove road between Shore street and Rockdale avenue. Said department shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before the fourth Wednesday of January, nineteen hundred and sixty.

Approved June 22, 1959.

- Chap. 74.** RESOLVE PROVIDING FOR A SPECIAL COMMISSION TO PREPARE RULES RELATIVE TO OCCASIONS ON WHICH THE STATE FLAG SHALL BE FLOWN AT HALF-STAFF.

Resolved, That an unpaid special commission, to consist of the commissioner of administration, or his designee, who shall be the chairman, the adjutant general, or his designee, and the state superintendent of buildings, or his designee, is hereby established for the purpose of preparing rules governing the occasions on which the state flag shall be flown at half-staff. Said commission shall report to the general court its recommendations, together with drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the house of representatives on or before the fourth Wednesday of January, nineteen hundred and sixty.

Approved June 29, 1959.

- Chap. 75.** RESOLVE PROVIDING FOR A STUDY BY THE WATER RESOURCES COMMISSION RELATIVE TO FLOOD CONTROL WORKS IN THE WATERSHEDS OF THE CONCORD, SUDBURY AND ASSABET VALLEYS.

Resolved, That the water resources commission is hereby authorized and directed to make a study of the subject matter of the investigation and study proposed by current house document numbered 1890, relative to flood control works including flood plain zoning etc. in the watersheds of the Concord, Sudbury and Assabet valleys. Said commission shall report to the general court the results of its study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the fourth Wednesday of January, nineteen hundred and sixty.

Approved June 29, 1959.

- Chap. 76.** RESOLVE REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO PROVIDING FOR A SUITABLE MEMORIAL IN THE NEW ARCHIVES BUILDING TO THE LATE EDWARD J. CRONIN.

Resolved, That the unpaid special commission established by chapter nineteen of the resolves of the current year, is hereby revived and continued for the purpose of continuing its investigation and study relative to providing for a suitable memorial in the new archives building to the late Edward J. Cronin, secretary of the commonwealth from nineteen hundred and forty-nine to nineteen hundred and fifty-eight. Said commission shall be provided with quarters in the state house or elsewhere, may travel within and without the commonwealth and may expend for clerical and expert services and expenses as may be necessary or desirable to accomplish the purposes of this resolve such sums as may be appropriated therefor. Said commission shall report to the

general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the house of representatives on or before the fourth Wednesday of January, nineteen hundred and sixty.

Approved July 7, 1959.

Chap. 77. RESOLVE FURTHER REVIVING AND CONTINUING AND INCREASING THE MEMBERSHIP OF THE SPECIAL COMMISSION ESTABLISHED TO INVESTIGATE AND STUDY THE FEASIBILITY OF ESTABLISHING A SOUTHEASTERN MASSACHUSETTS WATER DISTRICT AND OTHER SUBJECT MATTERS.

Resolved, That the unpaid special commission, established by chapter fifty-four of the resolves of nineteen hundred and fifty-one and most recently revived and continued by chapter eighty-eight of the resolves of nineteen hundred and fifty-eight, to investigate and study the advisability and feasibility of establishing a southeastern Massachusetts water district, is hereby further revived and continued for the purpose of further considering that subject, as well as any legislation or information in connection therewith which may be presented by any of the municipalities in the counties of Bristol and Plymouth, relative to their individual water problems; as well as all questions relating to the quantities of water to be obtained from available sources, its quality, the best methods of protecting the purity of the water, the construction, operation and maintenance of works for storing, conveying and purifying the water, the cost of the same, and damages to property, and all other matters pertaining thereto. The membership of said commission shall be increased to include the chairman of the water resources commission or his designee.

The commission shall have the power to employ such engineers and other assistants, including the procurement of the services of such consulting engineers, chemists or attorneys as may be necessary, and to incur such expenses as may be necessary for carrying out the provisions of this resolve.

Said commission shall be provided with quarters in the state house or elsewhere, may hold hearings, and shall have the power to summon witnesses and to require the production of books, records and papers and the giving of testimony under oath.

The commission may expend for the purposes of this resolve the balance available in item 0210-00 of section two of chapter seven hundred and forty-three of the acts of nineteen hundred and fifty-seven, and such other sums as may be appropriated therefor.

Said commission shall report fully with plans and estimates to the general court by filing the same with the clerk of the senate on or before May first, nineteen hundred and sixty-one, including in its report drafts of any legislation recommended by it.

Approved July 7, 1959.

Chap. 78. RESOLVE PROVIDING FOR A STUDY BY THE DIVISION OF FISHERIES AND GAME OF WILDLIFE HABITAT IN THE QUABBIN WATERSHED AND IN THE FRINGE TOWNS.

Resolved, That the division of fisheries and game in the department of natural resources is hereby authorized and directed to make a study of the wildlife habitat in the Quabbin watershed and in the fringe towns thereof with a view to establishing such programs as will improve and promote wildlife therein. Said division shall report to the general court the results of its study, and its recommendations, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the senate on or before the first Wednesday of December, nineteen hundred and fifty-nine.

Approved July 7, 1959.

Chap. 79. RESOLVE FURTHER REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE A STUDY AND TO INVESTIGATE THE LAWS RELATING TO CERTAIN YOUTHFUL OFFENDERS.

Resolved, That the unpaid special commission established by chapter fifty-five of the resolves of nineteen hundred and fifty-seven and revived and continued by chapter thirty-seven of the resolves of nineteen hundred and fifty-eight is hereby further revived and continued for the purpose of continuing its study and investigation of the laws in the various states of the nation relative to youthful offenders, especially the laws of the state of New York relating thereto, and to examine existing programs of detention, classification, diagnosis and treatment of youthful offenders, and methods of co-ordination and implementation of existing programs designed to reduce antisocial conduct by youthful offenders with a view to the revision of the laws of the commonwealth on the said subject matter, and to the recommending of such changes therein and additions thereto as may appear necessary and desirable. Said commission shall be provided with quarters in the state house or elsewhere, may hold hearings, may travel within and without the commonwealth and may expend for legal, clerical and other assistance the balance available in item 0258-07 of section two of chapter seven hundred and forty-three of the acts of nineteen hundred and fifty-seven, and such other sums as may be appropriated therefor. Said commission shall report to the general court the results of its study and investigation and its recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the house of representatives from time to time, but in any event, shall file a final report not later than the fourth Wednesday of January, nineteen hundred and sixty.

Approved July 17, 1959.

Chap. 80. RESOLVE INCREASING THE SCOPE OF THE INVESTIGATION AND STUDY BY THE SPECIAL COMMISSION ON TAXATION.

Resolved, That the unpaid special commission, known as the special commission on taxation, established by chapter eighty-six of the re-

solves of nineteen hundred and forty-eight and most recently continued by chapter twenty-nine of the resolves of the current year, shall, in the course of its investigation and study, consider the subject matter of current senate documents numbered 401, relative to exempting the Metropolitan Transit Authority from taxes on fuels and special fuels used for propelling its vehicles; 424, relative to providing for the exemption of the Metropolitan Transit Authority from the law imposing an excise upon certain fuels used by motor vehicles on the highways of the commonwealth; and 425, relative to providing for the exemption of political subdivisions of the commonwealth from the law imposing an excise upon certain fuels used by motor vehicles on the highways of the commonwealth; and of current house documents numbered 65, relative to providing for local taxation of persons using government owned real estate for private profit; 68, relative to redefining taxable interest under the personal income tax law; 76, relative to the allocation of income under the corporation excise law; 80, relative to redefining the word "sale" as used in the cigarette excise law; 81, relative to redefining the word "sale" as used in the excise law relating to special fuels; 82, relative to amending the alcoholic beverages and alcohol tax law; 208, relative to providing for local taxation of private parties using government owned real estate; 310, relative to exempting Federal civil service annuities from the laws relative to the taxation of income; 414, relative to authorizing the city of Boston to levy, assess and collect an occupational tax of one half of one per cent of the gross salary received by each and every person employed in the city of Boston but not being a resident thereof; 547, relative to requiring assessors of cities and towns to notify owners of real and personal property of any increase in the fair cash valuation thereof; 909, relative to exempting certain motor buses used for carrying passengers for hire from certain fuel taxes; 920, relative to providing that certain licenses shall not be required of cities and towns using special fuels or dispensing such fuels to themselves; 921, relative to providing for the reimbursement of certain motor fuel excise taxes to cities and towns; 928, relative to exempting certain common carriers from state gasoline and special fuels taxes; 1768, relative to exempting governmental bodies from payment of excise tax on gasoline and other motor vehicle fuel; 1771, relative to requiring assessors of cities and towns to notify owners of real and personal property of any increase in the fair cash valuation of their property; and 2345, relative to the exemption from taxation of real property granted to fathers and mothers of soldiers and sailors who lost their lives in the service.

Approved July 17, 1959.

Chap. 81. RESOLVE VALIDATING THE ACTS OF MARY A. GALVIN AS A NOTARY PUBLIC.

Resolved, That the acts of Mary A. Galvin of Worcester as a notary public between February eighth, nineteen hundred and forty-seven and September twentieth, nineteen hundred and fifty, both dates inclusive, in so far as the same may have been invalid by reason of the fact that, upon the change of her name from Mary A. Sheehan, she

failed to re-register under her new name and pay to the state secretary a fee of one dollar as required by section thirteen of chapter thirty of the General Laws, are hereby confirmed and made valid.

Approved July 17, 1959.

Chap. 82. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROVIDING THAT THE INTRODUCTION OF A PRIOR CONVICTION UNDER THE OBSCENE LITERATURE LAW SHALL CONSTITUTE PRIMA FACIE EVIDENCE OF A PERSON'S INTENT TO VIOLATE SUCH LAW IN THE INSTANT PROCEEDING.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 2947, relative to providing that the introduction of a prior conviction under the obscene literature law shall constitute prima facie evidence of a person's intent to violate such law in the instant proceeding, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

Approved July 17, 1959.

Chap. 83. RESOLVE CONTINUING THE INVESTIGATION AND STUDY BY THE WATER RESOURCES COMMISSION RELATIVE TO THE GROUND WATER RESOURCES IN THE COUNTIES OF PLYMOUTH AND BRISTOL AND INCREASING THE SCOPE THEREOF.

Resolved, That the water resources commission is hereby authorized and directed to continue the investigation and study of ground water supplies in the counties of Plymouth and Bristol which it was authorized to make under the provisions of chapter three hundred and fourteen of the acts of nineteen hundred and fifty-seven, as amended by chapter four hundred and fifteen of the acts of nineteen hundred and fifty-eight. Said commission shall also investigate and study such supplies in the towns of Avon, Holbrook, Plainville and Stoughton in the county of Norfolk and the question of how the municipalities in said areas acting either individually or jointly may best utilize such supplies for water supply purposes. Said commission may employ engineers, consulting engineers, geologists and attorneys and may expend therefor and for such other assistance and expenses for carrying on said investigation the unexpended balance of funds made available by section two of chapter three hundred and fourteen of the acts of nineteen hundred and fifty-seven and such additional sums as may be appropriated therefor. Said commission shall report to the general court the results of its investigation and study, and its recommendations, together with drafts of legislation necessary to carry such recommendations into effect, by filing one or more reports with the clerk of the house of representatives from time to time, and by filing its final report on or before May first, nineteen hundred and sixty-one.

Approved July 17, 1959.

Chap. 84. RESOLVE IN FAVOR OF THE WIDOW OF THE LATE ARTHUR J. MULLEN.

Resolved, That, for the purpose of promoting the public good, and after an appropriation has been made therefor, there be paid out of the state treasury to the widow of the late Arthur J. Mullen, who died while a member of the present senate, the salary to which he would have been entitled had he lived and served until the end of the term for which he was elected.

Approved July 31, 1959.

Chap. 85. RESOLVE FURTHER REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED FOR THE PURPOSE OF MAKING AN INVESTIGATION AND STUDY RELATIVE TO THE ACTIVITIES OF ACCIDENT AND HEALTH INSURANCE COMPANIES, THE ISSUANCE OF CREDIT LIFE, HEALTH AND ACCIDENT INSURANCE TO CREDITORS IN CONNECTION WITH FINANCE CONTRACTS, AND OTHER MATTERS.

Resolved, That the unpaid special commission established by chapter one hundred and three of the resolves of nineteen hundred and fifty-six and the time for filing whose report was extended by chapter one hundred and fifty-three of the resolves of nineteen hundred and fifty-eight is hereby revived and continued for the purpose of continuing its investigation and study relative to the activities of accident and health insurance companies, the issuance of credit life, health and accident insurance to creditors in connection with finance contracts, and other matters. The commissioner of insurance shall give full aid and assistance to the commission in the course of its investigation and study. Said commission shall be provided with quarters in the state house or elsewhere, may hold public hearings, may require by summons the testimony of witnesses and the production of books and papers, and may expend for clerical and other services and expenses the balance of the amount available in item 0257-07 of section two of chapter seven hundred and forty-three of the acts of nineteen hundred and fifty-seven and such sums as may be appropriated therefor. Said commission shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect by filing one or more reports with the clerk of the senate from time to time, and by filing its final report on or before the last Wednesday of January, nineteen hundred and sixty.

Approved August 7, 1959.

Chap. 86. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC WORKS RELATIVE TO CERTAIN HIGHWAY IMPROVEMENTS AND MATTERS RELATING THERETO.

Resolved, That the department of public works is hereby authorized to investigate and study the subject matter of current senate documents 125, providing for widening present highway routes 12 and 193 in the towns of Auburn, Oxford and Webster so as to connect the

Massachusetts and Connecticut turnpikes; and house bill printed in senate document 498, providing for the filling and improvement of Roxbury Canal, South Bay and part of Fort Point channel in Boston Harbor and certain territories adjacent thereto; and of current house documents numbered 49, relative to snow and ice control on sections of highway laid out by the department of public works on behalf of a city or town; 52, pertaining to the acquisition by the department of public works of relocated rights of way on behalf of public utilities; 158, providing for the transfer of the care, control and maintenance of route 9, between the junction of routes 67 and 9 in West Brookfield and the town line in Ware at the junction of routes 9 and 32 to the department of public works; 159, providing for the reconstruction and widening of route 9 in West Brookfield from the junction of routes 67 and 9 to the town line in Ware at the junction of routes 9 and 32; 338, transferring control of certain beaches to the department of public works; 1063, declaring highway route numbered 113 in the city of Lowell and the town of Dracut a state highway, and placing said highway under the control of the department of public works; 1095, authorizing the department of public works to construct sidewalks along route 122; 1102, authorizing the commonwealth to incur obligations upon appropriation of its share of the cost of constructing federally assisted highways and providing for the establishment of a special revolving highway fund; 1532, authorizing the department of public works to install a light traffic signal on route 138 in Milton; 1537, providing for the widening of certain thoroughfares in Hyde Park; 1538, providing for the construction of a pedestrian overpass in the city of Chelsea; 1892, providing for co-operation with the federal government in its project for certain improvements in the Westfield river, for protection of property against floods in the city of Westfield; 1913, providing for the reimbursement of cities and towns for expenses incurred in the lighting of the southeast expressway; 1927, relative to the improvement of so-called county roads; and 2270, permitting leasing of land controlled by the state department of public works. Said department shall report to the general court the result of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Tuesday in December in the current year.

Approved August 7, 1959.

Chap. 87. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC WORKS RELATIVE TO CERTAIN WATERWAY IMPROVEMENT PROJECTS.

Resolved, That the department of public works is hereby authorized to make an investigation and study of the subject matter of current senate documents numbered 101, authorizing the division of waterways in the department of public works to divert the waters of Beaman's brook to give flood protection to residential property and the town highway on Mechanic street in the town of Hardwick; and 104, au-

thorizing the department of public works to construct a sea wall on the Town river in the city of Quincy; and of current house document numbered 248, authorizing the department of public works through its division of waterways to contribute the sum of six thousand dollars from its capital outlay for the completion of the dredging project in Town river in the city of Quincy; 457, authorizing and directing the department of public works to dredge a portion of Gloucester harbor and authorizing the city of Gloucester to borrow money to pay a proportionate part thereof; 518, authorizing the department of public works to fill, grade and improve a certain parcel of privately owned land located near the Fore river at the end of Trefton drive in the town of Braintree; 655, providing for the construction of a sea wall for the purpose of protecting the shore of the town of Salisbury from erosion from the sea; 1889, providing for dredging and construction of a marina facility at the northwest corner of Quincy bay; 1896, authorizing and directing the department of public works to do certain work in Wigwam brook in the town of Dedham; and 2488, authorizing the department of public works through its division of waterways to construct a boat landing on the Connecticut river in the city of Chicopee. Said department shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect by filing the same with the clerk of the house of representatives on or before the last Tuesday of December in the current year.

Approved August 7, 1959.

Chap. 88. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE METROPOLITAN DISTRICT COMMISSION RELATIVE TO CERTAIN IMPROVEMENTS IN THE METROPOLITAN DISTRICT AREA.

Resolved, That the metropolitan district commission is hereby authorized and directed to make an investigation and study of the subject matter of current house documents numbered 503, authorizing the metropolitan district commission to straighten Fellsway East from Fellsway to Savin street in the city of Malden and construct a dividing strip in said area; 504, authorizing the metropolitan district commission to take over the care, control and maintenance of the drawbridge over Malden river on Medford street, Malden; 507, providing for state reimbursement of cities and towns in the metropolitan parks district for expenses of Nantasket beach reservation, Lynn-Nahant beach reservation and Revere beach reservation; 782, authorizing and directing the metropolitan district commission to construct a concourse at Bunker Hill monument in the Charlestown district of the city of Boston; 1129, further defining the liability of the commonwealth for injuries sustained by persons traveling on state highways and on boulevards under control of the metropolitan district commission during the construction or reconstruction thereof; 1216, authorizing the metropolitan district commission to reimburse property owners for damage caused by the bursting of a water supply main in the city of Revere; 1618, authorizing and directing the metropolitan district commission

to take over the care, control and maintenance of a certain bridge between the city of Boston and the town of Watertown; 1645, authorizing the metropolitan district commission to acquire the William Garvey playground; 1649, authorizing and directing the metropolitan district commission to take by eminent domain certain lands in the Dorchester district of the city of Boston for the purpose of constructing a marina at Tenean beach; 1789, in favor of the Atlantic Amphibian Airways, Inc.; 2017, authorizing the metropolitan district commission to relocate the lower reaches of Meeting House brook in Medford and construct a siphon therein; 2026, authorizing and directing the metropolitan district commission to establish a free parking area in the city of Revere; 2051, authorizing the metropolitan district commission to construct an indoor skating rink at Cotillo park in the north end district of the city of Boston; and 2532, providing for the control and maintenance by the metropolitan district commission of that portion of River street in the city of Boston from Washington street, Dorchester, to Mattapan square. Said commission shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Tuesday of December in the current year.

Approved August 7, 1959.

Chap. 89. RESOLVE PROVIDING FOR A STUDY BY A SPECIAL UNPAID COMMISSION RELATIVE TO HEALTH INSURANCE COVERAGE FOR ELDERLY PERSONS.

Resolved, That an unpaid special commission, to consist of two members of the senate to be designated by the president thereof, three members of the house of representatives to be designated by the speaker thereof, the commissioners of insurance, mental health, public health and public welfare, or their designees, and four persons to be appointed by the governor, of whom one shall represent insurance companies, one industry, one labor, and one the consumer, is hereby established for the purpose of making a study of the problem of providing insurance protection and coverage for elderly persons with a view to effecting wider health insurance coverage for such persons at reasonable cost and providing reasonable protection from the hazards of cancellation or termination of such insurance. Said commission shall be provided with quarters in the state house or elsewhere, may hold public hearings and may expend for clerical and other expenses such sums as may be appropriated therefor. Said commission shall report to the general court the results of its study and its recommendations, if any, together with drafts of any legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the senate on or before the fourth Wednesday of January, nineteen hundred and sixty.

Approved August 11, 1959.

- Chap. 90.** RESOLVE AUTHORIZING THE DEPARTMENT OF PUBLIC WELFARE TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO REGULATING THE ELIGIBILITY OF APPLICANTS FOR WELFARE ASSISTANCE AND AID TO DEPENDENT CHILDREN.

Resolved, That the department of public welfare is hereby authorized and directed to make an investigation and study of the subject matter of current house document numbered 300, regulating the eligibility of applicants for welfare assistance and aid to dependent children. Said department shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Tuesday of December in the current year.

Approved August 11, 1959.

- Chap. 91.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF NATURAL RESOURCES RELATIVE TO DUTCH ELM DISEASE.

Resolved, That the department of natural resources is hereby authorized and directed to make an investigation and study of the subject matter of current house document numbered 599, relative to the prevention and control of Dutch elm disease. Said department shall report to the general court the results of its investigation and study and its recommendations, if any, by filing the same with the clerk of the house of representatives on or before the fourth Wednesday of January, nineteen hundred and sixty.

Approved August 11, 1959.

- Chap. 92.** RESOLVE REVIVING AND CONTINUING THE SPECIAL UNPAID COMMISSION ESTABLISHED TO MAKE A STUDY RELATIVE TO THE LAWS RELATING TO CONVALESCENT OR NURSING HOMES, AND TO THE STANDARDS AND COSTS THEREOF.

Resolved, That the unpaid special commission established by chapter one hundred and forty-three of the resolves of nineteen hundred and fifty-eight is hereby revived and continued for the purpose of continuing its study of the laws governing convalescent or nursing homes and the medical and nursing care of recipients of public aid, the standard of care which should be provided to such recipients, the cost of such care and the comparative cost to the taxpayer of convalescent or nursing home care in private convalescent or nursing homes and in public institutions. Said commission shall be provided with quarters in the state house or elsewhere, may hold public hearings and may expend for clerical and other services and expenses such sums as may be appropriated therefor. Said commission shall report to the general court the results of its study and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the senate on or before the fourth Wednesday of January, nineteen hundred and sixty.

Approved August 12, 1959.

- Chap. 93.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE MASS TRANSPORTATION COMMISSION RELATIVE TO THE CONSTRUCTION OF CERTAIN SUBWAY AND RAPID TRANSIT FACILITIES IN THE CITY OF BOSTON.

Resolved, That the mass transportation commission, established under section nine of chapter sixteen of the General Laws, shall consider the subject matter of current house document numbered 2690, Appendix B, relative to subway and rapid transit facilities in connection with the Prudential Development, so called, in the city of Boston. Said commission shall report to the general court the results of its study and its recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the senate not later than the last Wednesday of December, nineteen hundred and sixty.

Approved August 12, 1959.

- Chap. 94.** RESOLVE INCREASING THE MEMBERSHIP OF THE SPECIAL COMMISSION ESTABLISHED TO STUDY AND INVESTIGATE COMMUNISM AND SUBVERSIVE ACTIVITIES AND RELATED MATTERS IN THE COMMONWEALTH.

Resolved, That the membership of the unpaid special commission established by chapter eighty-nine of the resolves of nineteen hundred and fifty-three and most recently revived and continued by chapter fifty-one of the resolves of the current year is hereby increased by one member of the house of representatives to be designated by the speaker thereof.

Approved August 13, 1959.

- Chap. 95.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC WORKS RELATIVE TO CONSTRUCTING A BRIDGE IN THE TOWN OF RUSSELL.

Resolved, That the department of public works is hereby authorized and directed to make an investigation and study of current house document numbered 2450, authorizing the department of public works to construct a bridge in the town of Russell. The department shall report to the general court the results of its investigation and study, together with drafts of legislation necessary to carry its recommendations, if any, into effect by filing the same with the clerk of the house of representatives on or before the last Tuesday of December in the current year.

Approved August 18, 1959.

- Chap. 96.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE COUNCIL FOR THE AGING RELATIVE TO AUTHORIZING CITIES AND TOWNS TO PROVIDE AND MAINTAIN RECREATION AND MEETING PLACES FOR PERSONS AGE SIXTY-FIVE AND OLDER, AND RELATIVE TO THE POWERS OF THE COUNCIL FOR THE AGING, AND ASSISTANCE TO CITY AND TOWN PROGRAMS FOR THE AGING.

Resolved, That the council for the aging is hereby authorized and directed to make an investigation and study of the subject matter of

current house document numbered 2500, Appendix A (page 179), relative to authorizing cities and towns to provide and maintain recreation and meeting places for persons age sixty-five and older, and relative to the powers of the council for the aging, and assistance to city and town programs for the aging. Said council may spend such sums as may be appropriated therefor, and shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives not later than the fourth Wednesday of January, nineteen hundred and sixty. *Approved August 18, 1959.*

Chap. 97. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY RELATIVE TO THE ADVISABILITY OF THE ADOPTION BY THE SCHOOL BUILDING ASSISTANCE COMMISSION OF MAXIMUM AND MINIMUM STANDARDS FOR STATE-AIDED PUBLIC SCHOOL CONSTRUCTION.

Resolved, That an unpaid special commission, to consist of two members of the senate to be designated by the president thereof, three members of the house of representatives to be designated by the speaker thereof, the administrator of the school building assistance commission, and four persons to be appointed by the governor, is hereby established to make an investigation and study of the procedures and practices of the school building assistance commission for the purpose of determining the advisability of the adoption by the said school building assistance commission of maximum and minimum standards for state-aided public school construction. The special commission shall be provided with quarters in the state house or elsewhere, may hold hearings, may require by summons the attendance and testimony of witnesses and the production of books and papers, may travel within and without the commonwealth, and may expend for clerical and other services and expenses such sums as may be appropriated therefor. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the fourth Wednesday of January, nineteen hundred and sixty. *Approved August 20, 1959.*

Chap. 98. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO THE LIEN UPON THE REAL ESTATE OF CERTAIN RECIPIENTS OF VETERANS' BENEFITS.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 2311, relative to the lien upon the real estate of certain recipients of veterans' benefits, and to include its conclusions and its recommendations, if any, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year. *Approved August 20, 1959.*

Chap. 99. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE ESTABLISHMENT OF AN ATOMIC ENERGY INDUSTRIAL RESEARCH CENTER.

Resolved, That the unpaid special commission, established by chapter seventy-seven of the resolves of nineteen hundred and fifty-seven, and most recently revived and continued by chapter fifty-six of the resolves of the current year, shall, in the course of its investigation and study, consider so much of Public Document No. 144, the Thirty-Fourth report of the Judicial Council, as relates to the creation and termination of agency and other fiduciary powers in time of atomic emergency (pages 39-42).

Approved August 20, 1959.

Chap. 100. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE STATE HOUSING BOARD RELATIVE TO THE ADMINISTRATION AND CONDUCT OF URBAN RENEWAL PROJECTS.

Resolved, That the state housing board is hereby authorized and directed to make an investigation and study of the subject matter of the investigation and study proposed by current house document numbered 270, relative to the administration and conduct of urban renewal projects within the commonwealth. Said board shall report to the general court the results of its study and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Tuesday of December in the current year.

Approved August 24, 1959.

Chap. 101. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY AN UNPAID SPECIAL COMMISSION RELATIVE TO CERTAIN NATURAL RESOURCES PROJECTS.

Resolved, That an unpaid special commission, to consist of two members of the senate to be designated by the president thereof, three members of the house of representatives to be designated by the speaker thereof, and two members to be appointed by the governor, is hereby established for the purpose of making an investigation and study of the subject matter of current senate document numbered 663, providing for an accelerated program for the cutting and sale of timber on state forest lands; and of current house documents numbered 88, relative to forest fire patrols; 89, relative to county forestry projects; 440, authorizing the department of natural resources to construct a recreational area in the Harold Parker state forest in the town of Andover; 600, providing for the development of Upton state forest in the town of Upton and the construction of camp sites and recreational facilities thereat; 653, to establish a parking lot and first aid station upon land of the commonwealth in that part of Salisbury known as Salisbury beach and being situated on the ocean front, north of the so-called skating rink building; 656, to establish an area known as a marina for the accommodation of yachts and other boats in the so-called Black Water creek situated in that part of Salisbury known as Salisbury

beach; 995, authorizing and directing the department of natural resources to acquire certain lands and utilize Plum Island beach as a public beach reservation within the towns of Newbury, Rowley and Ipswich; 1297, authorizing the department of natural resources to expend certain moneys for the purchase of fire equipment, for the payment of salaries of certain employees of the bureau of forest fire control of the division of forests and parks of the department of natural resources and for the maintenance of forests and roads and fire trails therein; 1845, authorizing and directing the department of natural resources to extend the state forest on Nantucket; 1847, authorizing and directing the department of natural resources to complete a reforestation program in the state forest on Nantucket; 1849, providing for the construction, maintenance, repair and operation of self-liquidating recreational facilities in western Massachusetts; creating the western Massachusetts recreational authority and defining its powers and duties; and providing for the financing of such facilities. Said commission shall be provided with quarters in the state house or elsewhere, may hold public hearings, and may expend for clerical and other services and expenses such sums as may be appropriated therefor. Said commission shall report to the general court the results of its study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect by filing the same with the clerk of the house of representatives on or before the fourth Wednesday of January, nineteen hundred and sixty.

Approved August 26, 1959.

Chap. 102. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE BUSINESS CLIMATE OF THE COMMONWEALTH AND PROPOSED LEGISLATION RELATING TO BUSINESS, INDUSTRY AND AGRICULTURE IN TERMS OF ITS EFFECT UPON THE BUSINESS OF THE COMMONWEALTH.

Resolved, That a special unpaid commission, consisting of the members of the joint committee on state administration and seven persons to be appointed by the governor, of whom three shall represent labor, three shall represent business and one shall represent agriculture, is hereby established to make a study of the business climate of the commonwealth, and proposed legislation relating to business, industry and agriculture in terms of its effect upon the business of the commonwealth, and any matters pertinent thereto, with a view to determining what legislative action may be beneficial in promoting the investment of capital and the creation of additional payrolls in the commonwealth. Said commission shall be provided with quarters in the state house or elsewhere, may hold hearings, may travel within and without the commonwealth, and may expend for expert and clerical services and for such other services and expenses such sums as may be appropriated therefor. Said commission shall report to the general court the results of its study and its recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the senate on or before the fourth Wednesday of January, nineteen hundred and sixty.

Approved August 26, 1959.

Chap. 103. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE RULES AND PROCEDURE OF THE BOARD OF REGISTRATION IN MEDICINE IN EXAMINING APPLICANTS FOR REGISTRATION, ESPECIALLY GRADUATES OF FOREIGN MEDICAL SCHOOLS.

Resolved, That an unpaid special commission, to consist of two members of the senate to be designated by the president thereof, three members of the house of representatives to be designated by the speaker thereof, and four persons to be appointed by the governor, of whom one shall be a member of the Massachusetts Medical Association and one shall be a member of the Massachusetts Hospital Association, is hereby established for the purpose of making an investigation and study of the rules and regulations of the board of registration in medicine in processing applications and examining applicants for registration as qualified physicians, especially graduates of foreign medical schools. Said commission shall also study the standards required by the board for its recognition of foreign medical school credits.

Said commission shall be provided with quarters in the state house or elsewhere, may hold hearings, may require by summons the attendance and testimony of witnesses and the production of books and papers, may travel within and without the commonwealth, and may expend for legal, clerical and other assistance such sums as may be appropriated therefor. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the fourth Wednesday of January, nineteen hundred and sixty. *Approved August 26, 1959.*

Chap. 104. RESOLVE FURTHER REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY OF THE OPERATION OF THE NEW BEDFORD, WOODS HOLE, MARTHA'S VINEYARD AND NANTUCKET STEAMSHIP AUTHORITY.

Resolved, That the unpaid special commission, established by chapter seventy-eight of the resolves of nineteen hundred and fifty-seven and revived and continued by chapter sixty-four of the resolves of nineteen hundred and fifty-eight, is hereby further revived and continued for the purpose of continuing its investigation and study of the operation of the New Bedford, Woods Hole, Martha's Vineyard and Nantucket Steamship Authority.

Said commission shall be provided with quarters in the state house or elsewhere, may hold hearings, may travel within and without the commonwealth, and may expend for expert, clerical and other services and expenses such sums as may be appropriated therefor.

Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the fourth Wednesday of January, nineteen hundred and sixty. *Approved September 3, 1959.*

Chap. 105. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE MASS TRANSPORTATION COMMISSION RELATIVE TO THE OPERATION OF PASSENGER SERVICE ON THE OLD COLONY LINE WITHIN THE COMMONWEALTH AND CERTAIN RELATED MATTERS.

Resolved, That the mass transportation commission is hereby authorized and directed to make an investigation and study of the subject matter of current senate documents numbered 441, providing for the creation of a permanent south shore transportation council to preserve and improve transportation of freight and passengers by rail or otherwise in the south shore area; and 480, being the first report of the Old Colony area transportation commission; the second report of the Old Colony area transportation commission, relative to the advisability of continuing the present rail service and the feasibility of establishing a rapid transit service and bus service in the Old Colony area; and of current house document numbered 3013, Appendix A, providing for the operation of certain passenger service on the Old Colony lines within the commonwealth; Appendix B, authorizing the mass transportation commission to contract for the operation of railroad passenger service; Appendix C, relative to the creation of a south shore transportation district, and Appendix E, relative to establishing the department of public utilities as the sole licensing authority of motor carriers of passengers over certain limited access highways, and of a proposed bill, not printed as a house or senate document, which reads as follows:—

“AN ACT AUTHORIZING THE MASS TRANSPORTATION COMMISSION TO ENTER INTO NEGOTIATIONS LOOKING TO A CONTRACT WITH THE NEW YORK, NEW HAVEN & HARTFORD RAILROAD FOR RESUMPTION OF PASSENGER SERVICE BY THE SAID RAILROAD IN AND FOR THE TOWNS PREVIOUSLY SERVICED OR BENEFITTED IN THE COUNTIES OF PLYMOUTH AND BARNSTABLE.

Be it enacted, etc., as follows:

The mass transportation commission is hereby authorized and directed to enter into negotiations with the New York, New Haven & Hartford Railroad with reference to a contract for resumption of passenger service by said railroad in and for the towns previously serviced or benefitted in the counties of Plymouth and Barnstable.

When, as the result of said negotiations with said railroad, the mass transportation commission shall have received an offer from said railroad for passenger service over the tracks of the Old Colony Railroad or otherwise which said commission deems reasonable and proper, said commission shall advise the selectmen of the towns to be served or benefitted by said offer of the terms of said offer.

Promptly on receipt by said selectmen of such advice from the mass transportation commission, the said selectmen shall carefully consider, investigate and study such advice and the offer of said railroad and promptly advise said commission of the results of their investigation and study of said offer.

If a sufficient number of said towns as represented by the selectmen shall approve the offer made by the railroad, the said commission shall enter into a contract with said New York, New Haven & Hartford Railroad for such service as may have been contained in said offer; provided that no charge for such service shall be in any manner assessed against any such town which did not approve such offer.

In dealing with transportation by railroad, consideration may be given to dealing with all the said towns in one transportation system or with one or more of the three sections or subdivisions of such service:—

- (1) the section or subdivision taking in the towns of Plymouth County, except Wareham;
- (2) the section taking in all the towns in Barnstable County and said Wareham (as respects trains to and from Boston); and
- (3) the section which handles trains from New York City to the end of the line at Woods Hole in Falmouth.”

Said commission shall also investigate and study such other plan or plans as it deems advisable.

Said commission shall recommend plans and specify therein the land and facilities and the use to be made of said land and facilities for commuter transportation included in the exercise of the option directed under chapter four hundred and seventy-five of the acts of nineteen hundred and fifty-nine and the means of payment and financing under each of the various proposals so recommended.

The commission may hire such legal, clerical and technical assistance as may be necessary and may expend therefor the unexpended balance of forty thousand, nine hundred and sixty dollars and eighty-four cents remaining from the amount appropriated by chapter six hundred and sixty-three of the acts of nineteen hundred and fifty-eight, and such additional sums as may be appropriated therefor, together with any federal funds received therefor.

Said commission shall report to the general court the results of its investigation and study, and its recommendations, together with drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the house of representatives on or before the fourth Wednesday of January, nineteen hundred and sixty.

Approved September 3, 1959.

Chap. 106. RESOLVE ESTABLISHING AN UNPAID SPECIAL COMMISSION TO MAKE AN INVESTIGATION AND STUDY OF THE LAWS OF THE COMMONWEALTH RELATIVE TO THE ADMITTANCE, TREATMENT AND RELEASE OF PATIENTS IN INSTITUTIONS UNDER THE CONTROL OF THE DEPARTMENT OF MENTAL HEALTH.

Resolved, That an unpaid special commission, to consist of three members of the senate to be designated by the president thereof, five members of the house of representatives to be designated by the speaker thereof, and three persons to be appointed by the governor, is hereby established for the purpose of making an investigation and study of the laws of the commonwealth relative to the admittance, treatment, and release of patients in mental institutions under the

control of the department of mental health, and related matters. Said commission, in the course of its investigation and study, shall in particular consider the laws relating to the methods of commitment, treatment and release of patients. Said commission shall be provided with quarters in the state house or elsewhere, may hold public hearings, and may call upon officials or employees of the commonwealth or any other person to contribute such information as the commission may require in the course of its investigation and study. Said commission may expend for clerical and other services and expenses such sums as may be appropriated therefor, and shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the senate on or before the fourth Wednesday of January, nineteen hundred and sixty.

Approved September 9, 1959.

Chap. 107. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE RULES AND PROCEDURE OF THE BOARD OF REGISTRATION IN MEDICINE IN EXAMINING APPLICANTS FOR REGISTRATION, ESPECIALLY GRADUATES OF FOREIGN MEDICAL SCHOOLS.

Resolved, That the unpaid special commission, established by chapter one hundred and three of the resolves of nineteen hundred and fifty-nine to make an investigation and study relative to the rules and procedure of the board of registration in medicine in examining applicants for registration, especially graduates of foreign medical schools, shall, in the course of its investigation and study, consider the subject matter of current senate document numbered 722, providing that graduates of certain foreign medical schools who are applicants for registration as physicians may take examinations given by the National Board of Medical Examiners until certified by said board.

Approved September 9, 1959.

Chap. 108. RESOLVE AUTHORIZING THE SPECIAL COMMISSION ESTABLISHED TO PREPARE PLANS AND PROGRAMS FOR THE CELEBRATION IN THIS COMMONWEALTH TO COMMEMORATE THE ONE HUNDREDTH ANNIVERSARY OF THE CIVIL WAR TO APPOINT HONORARY MEMBERS AND AN ADVISORY COUNCIL.

Resolved, That the special unpaid commission established by chapter one hundred and thirty-seven of the resolves of nineteen hundred and fifty-eight may appoint such honorary members and such members of an advisory council as it deems especially interested in the observance of the centennial of the Civil War, to assist in its work. All agencies of the state and all political subdivisions thereof are authorized to co-operate with the commission. Notwithstanding any provisions of said chapter one hundred and thirty-seven or any other law to the contrary, said commission shall be provided with quarters in room numbered twenty-seven in the state house and may travel within or without the commonwealth.

Approved September 9, 1959.

- Chap. 109.** RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO IMPOSING A PENALTY FOR VIOLATION OF CERTAIN NARCOTIC LAWS.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 1970, relative to imposing a penalty for violation of certain narcotic laws, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

Approved September 15, 1959.

- Chap. 110.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE STATE TAX COMMISSION RELATIVE TO PROVIDING THAT CERTAIN PROVISIONS OF LAW SHALL NOT BE CONSTRUED AS SUBJECTING REAL ESTATE OF THE COMMONWEALTH USED FOR PROVIDING ABUTTING SERVICE FACILITIES ON LIMITED ACCESS STATE HIGHWAYS TO TAXATION.

Resolved, That the state tax commission is hereby authorized and directed to make an investigation and study of the subject matter of current house document numbered 3087, relative to providing that certain provisions of law shall not be construed as subjecting real estate of the commonwealth used for providing abutting service facilities on limited access state highways to taxation. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the fourth Wednesday of January, nineteen hundred and sixty.

Approved September 17, 1959.

- Chap. 111.** RESOLVE EXTENDING THE TIME WITHIN WHICH THE SPECIAL COMMISSION ESTABLISHED TO MAKE A STUDY RELATIVE TO THE ORGANIZATION AND OPERATION OF THE METROPOLITAN DISTRICT COMMISSION AND OTHER MATTERS IS REQUIRED TO FILE ITS FINAL REPORT.

Resolved, That the time within which the unpaid special commission established by chapter one hundred and forty of the resolves of nineteen hundred and fifty-eight and revived and continued by chapter six of the resolves of nineteen hundred and fifty-nine, is required to file its final report is hereby extended to the last Wednesday in December, nineteen hundred and sixty. Said commission may expend for expert, legal, clerical and other services and expenses the unexpended balance in item 0259-01 of section two of chapter one hundred and seventy-one of the acts of nineteen hundred and fifty-nine and such other sums as may be appropriated therefor.

Approved September 17, 1959.

- Chap. 112.** RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED FOR THE PURPOSE OF MAKING AN INVESTIGATION AND STUDY RELATIVE TO THE ACTIVITIES OF ACCIDENT AND HEALTH INSURANCE COMPANIES, THE ISSUANCE OF CREDIT LIFE, HEALTH AND ACCIDENT INSURANCE TO CREDITORS IN CONNECTION WITH FINANCE CONTRACTS, AND OTHER MATTERS.

Resolved, That the unpaid special commission established by chapter one hundred and three of the resolves of nineteen hundred and fifty-six, and most recently revived and continued by chapter eighty-five of the resolves of nineteen hundred and fifty-nine for the purpose of continuing its investigation and study relative to the activities of accident and health insurance companies, the issuance of credit life, health and accident insurance to creditors in connection with finance contracts and other matters, shall, in the course of its investigation and study, consider the subject matter of current house document numbered 3123, relative to the amount of charge for insurance on the life of a borrower which a lender may pass on to said borrower.

Approved September 17, 1959.

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- Chap. 113.** RESOLVE PROVIDING FOR A STUDY BY A SPECIAL COMMISSION RELATIVE TO REGULATING THE USE AND OPERATION OF MOTORBOATS AND REQUIRING THE REGISTRATION THEREOF.

Resolved, That an unpaid special commission, consisting of one member of the senate, to be designated by the president thereof, three members of the house of representatives, to be designated by the speaker thereof, the commissioner of natural resources, the commissioner of public safety and the director of the division of waterways in the department of public works, is hereby established to make a study of the laws of the commonwealth relative to boating with a view to regulating the use and operation of certain boats and to require that such boats be registered and capable of easy identification. Said commission shall in the course of its study consider the subject matter of current house documents numbered 2950, providing for the numbering of certain motorboats and further regulating the safety, equipment and operation of motorboats, and 3071, providing for the identification, regulation and operation of motorboats. Said commission shall be provided with quarters in the state house or elsewhere, may hold public hearings, may travel within the commonwealth, and may expend for legal, clerical and other services and expenses such sums as may be appropriated therefor. Said commission shall report to the general court the results of its study and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the senate on or before the last Wednesday of January, nineteen hundred and sixty.

Approved September 17, 1959.

Chap. 114. RESOLVE INCREASING THE SCOPE OF THE INVESTIGATION AND STUDY BY THE METROPOLITAN DISTRICT COMMISSION RELATIVE TO CERTAIN IMPROVEMENTS IN THE METROPOLITAN DISTRICT AREA.

Resolved, That the metropolitan district commission, authorized by chapter eighty-eight of the resolves of the current year to make an investigation and study relative to certain improvements in the metropolitan district area, shall, in the course of its investigation and study, consider the subject matter of current senate document numbered 760, authorizing and directing the metropolitan district commission to acquire certain land in the city of Revere for the construction and maintenance thereon of a parking area.

Approved September 17, 1959.

Chap. 115. RESOLVE IN FAVOR OF CIESLA BROTHERS, INCORPORATED.

Resolved, That for the purpose of discharging a moral obligation of the commonwealth, there shall be allowed and paid from the state treasury the sum of six thousand five hundred dollars to Ciesla Brothers, Incorporated of Southbridge for the loss under a contract with the department of public works of the salvage value of certain steel girders and the profit from the removal of said girders from the flood damaged superstructure of a certain bridge in the town of Warren owing to the fact that said girders were removed and disposed of by the United States Army, Corps of Engineers prior to the performance of said contract by said Ciesla Brothers, Incorporated.

Approved September 17, 1959.

Chap. 116. RESOLVE IN FAVOR OF JOSEPH H. HOLIVER.

Resolved, That for the purpose of discharging a moral obligation of the commonwealth, and subject to appropriation, there shall be allowed and paid out of the state treasury to Joseph H. Holiver of Boston the sum of sixty-five hundred dollars as a result of a loss of a deposit under an agreement made with the department of public works and Daniel F. McGrath of Milton, dated May twentieth, nineteen hundred and forty-one, and assigned to Joseph H. Holiver. No payment shall be made hereunder until there has been filed with the comptroller an agreement signed by Joseph H. Holiver, that the amount, if any, paid or to be paid for legal services rendered in connection with the passage of this resolve shall not exceed ten per cent of the amount paid or payable hereunder.

Approved September 17, 1959.

NUMBER OF ACTS AND RESOLVES APPROVED, ACTS
VETOED BY THE GOVERNOR, AND ACTS DECLARED
EMERGENCY LAWS BY THE GOVERNOR UNDER
AUTHORITY OF THE CONSTITUTION.

The general court, during its first annual session held in 1959, passed 620 Acts and 114 Resolves, which received executive approval, and 1 Act, which received executive approval on September 17, 1959, 5 Acts which received executive approval on September 21, 1959, and 2 Acts which received executive approval on September 23, 1959, and 2 Resolves which received executive approval on September 17, 1959, after prorogation of the general court.

The governor returned 5 Acts with his objections thereto in writing. Upon said 4 Acts his objections were sustained, and upon 1 Act his objections were not sustained.

Four (4) Acts entitled, respectively, "An Act relative to the assignment to an auditor of motor vehicle tort cases where objection thereto is made"; "An Act providing for an increase in salaries for the mayor and board of aldermen in the city of Chelsea"; "An Act relative to the compensation of certain employees of the registry of motor vehicles"; and "An Act permitting the establishment of the salaries of the board of aldermen and the city council of the city of Springfield" were passed and laid before the governor for his approval; were returned by him with his objections thereto, to the branch in which they respectively originated; were reconsidered, and the vote being taken on their passage, the objections of the governor thereto notwithstanding, they were rejected, and said acts thereby became void.

One (1) Act entitled, respectively, "An Act to provide for a special capital outlay program for the commonwealth" was passed and laid before the governor for his approval; nine (9) items of said act were returned by him with his objections thereto, to the branch in which the act respectively originated; were reconsidered, and the vote being taken on their passage, the objections of the governor thereto notwithstanding, they were passed, and said items thereby have the force of law.

Four (4) Acts, entitled, respectively, "An Act relative to procedure for the foreclosure of mortgages under the soldiers' and sailors' civil relief act" (Chapter 105); "An Act establishing a mass transporta-

tion commission" (Chapter 416); "An Act to extend the scope of the abandoned property law" (Chapter 470); "An Act increasing the penalties for violations of the laws relative to obscene things and obscene books" (Chapter 492) were declared to be emergency laws by the governor in accordance with the provisions of the forty-eighth amendment to the Constitution "The Referendum. II. Emergency Measures". Said Chapter 105 thereby took effect at 4.43 P.M. on March 20, 1959; said Chapter 416 at 3.00 P.M. on July 14, 1959; said Chapter 470 at 11.55 A.M. on August 14, 1959 and said Chapter 492 at 4.18 P.M. on August 25, 1959.

The general court was prorogued on Thursday, September 17, 1959, at nine o'clock and twenty-five minutes P.M., the session having occupied 254 days.

8 Acts and 1 Resolve having been passed by the general court and the general court having prorogued, failed to become effective as they did not receive executive approval within five days.

RETURN OF VOTES ON QUESTION NO. 1, BEING AN INITIATIVE PETITION SUBMITTED UNDER THE PROVISIONS OF ARTICLE XLVIII OF THE AMENDMENTS TO THE CONSTITUTION, AS AMENDED BY ARTICLE LXXIV OF SAID AMENDMENTS, TO THE VOTERS OF THE COMMONWEALTH AT THE STATE ELECTION HELD NOVEMBER 4, 1958.

Votes on Question No. 1 (Initiative Petition).

Do you approve of a law summarized below which was disapproved in the House of Representatives by a vote of 73 in the affirmative and 132 in the negative and was approved in the Senate by a vote of 21 in the affirmative and 17 in the negative?

Summary.

The proposed measure provides that every former public employee, other than a judge, who is pensioned or retired for disability, shall report to his retirement authority, annually, his earnings from gainful occupation during the preceding year; and that, if such earnings, plus the pension, exceed the regular compensation of the position formerly held, the pensioner shall refund that portion of his pension equal to such excess or the entire pension if such excess is greater than the pension. A refund, if required, shall not include any part of a pension represented by salary deductions from or special purchase by the former employee. The requirement of a refund is not applicable to income received in or prior to 1958.

County of Barnstable.

Cities and Towns.	Yes.	No.	Blanka.	Total Ballots.
Barnstable	3,023	1,331	923	5,277
Bourne	989	454	408	1,851
Brewster	337	144	119	600
Chatham	781	320	247	1,348
Dennis	951	376	323	1,650
Eastham	329	155	72	556
Falmouth	2,172	915	778	3,865
Harwich	1,007	418	266	1,689
Mashpee	85	44	70	199
Orleans	637	302	214	1,153
Provincetown	476	270	305	1,051
Sandwich	457	177	193	827
Truro	170	91	68	329
Wellfleet	333	155	110	598
Yarmouth	1,412	550	338	2,300
Totals	13,159	5,700	4,434	23,293

County of Berkshire.

Adams	3,164	888	1,700	5,752
Alford	44	16	23	83
Becket	150	57	71	278
Cheshire	503	174	246	923
Clarksburg	334	116	121	571
Dalton	1,297	598	501	2,396
Egremont	211	86	89	386
Florida	115	57	39	211
Great Barrington	1,305	532	893	2,780
Hancock	81	48	42	171

County of Berkshire — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Ilinsdale	219	112	122	453
Lanesborough	555	262	210	1,027
Lee	939	504	494	1,937
Lenox	838	350	469	1,657
Monterey	114	65	39	218
Mount Washington	7	9	11	27
New Ashford	32	21	16	69
New Marlborough	152	73	75	300
NORTH ADAMS	4,642	1,373	2,117	8,132
Otis	59	38	76	173
Peru	32	14	13	59
PITTSFIELD	10,384	3,321	9,049	22,754
Richmond	209	71	56	336
Sandisfield	63	49	56	168
Savoy	54	39	52	145
Sheffield	431	179	161	771
Stockbridge	404	185	193	784
Tyringham	57	11	25	93
Washington	54	19	11	84
West Stockbridge	262	134	178	574
Williamstown	1,590	456	480	2,526
Windor	65	26	35	126
Totals	28,366	9,883	17,665	55,914

County of Bristol.

Acushnet	1,179	375	601	2,155
ATTLEBORO	5,136	1,892	1,792	9,120
Berkley	279	110	159	548
Dartmouth	3,341	1,076	1,586	6,003
Dighton	699	262	303	1,264
Easton	1,895	586	594	3,075
Fairhaven	3,268	1,110	1,403	5,781
FALL RIVER	22,330	7,120	14,115	43,565
Freetown	524	216	236	986
Mansfield	1,903	568	699	3,175
NEW BEDFORD	22,361	9,915	12,351	44,627
North Attleborough	3,162	978	1,178	5,318
Norton	1,129	389	344	1,862
Raynham	857	319	447	1,623
Rehoboth	667	394	358	1,419
Seekonk	1,423	772	581	2,776
Somerset	2,795	885	1,269	4,949
Swansea	2,454	824	1,078	4,356
TAUNTON	7,799	2,951	5,401	16,151
Westport	1,306	478	719	2,503
Totals	84,822	31,220	45,214	161,256

County of Dukes County.

Chilmark	52	28	35	115
Edgartown	285	101	151	537
Gay Head	11	8	23	42
Gosnold	18	8	7	33
Oak Bluffs	266	123	186	575
Tisbury	434	252	213	899
West Tisbury	89	30	21	140
Totals	1,155	550	636	2,341

County of Essex.

Amesbury	2,310	838	1,237	4,385
Andover	4,610	1,406	1,407	7,423
BEVERLY	8,484	2,818	2,572	13,874
Boxford	465	114	87	666
Danvers	4,119	1,514	1,269	6,902

County of Essex — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Essex	565	161	208	934
Georgetown	739	316	293	1,348
GLOUCESTER	4,813	1,653	1,999	8,465
Groveland	727	266	250	1,243
Hamilton	1,343	327	270	1,940
Haverhill	8,983	4,013	5,295	18,291
Ipswich	1,960	679	847	3,486
LAWRENCE	15,626	6,123	11,302	33,051
LYNN	21,080	9,418	8,775	39,273
Lynnfield	2,306	651	431	3,388
Manchester	1,142	280	371	1,793
Marblehead	5,302	1,523	1,242	8,067
Merrimac	699	296	270	1,265
Methuen	6,150	2,229	3,407	11,786
Middleton	622	315	277	1,214
Nahant	907	322	236	1,465
Newbury	732	206	247	1,185
NEWBURYPORT	3,309	1,021	1,625	5,955
North Andover	2,767	925	1,173	4,865
PEABODY	6,448	2,588	3,597	12,633
Rockport	1,280	386	407	2,073
Rowley	473	177	188	838
SALEM	8,960	4,149	4,945	18,054
Salisbury	793	356	320	1,469
Saugus	4,696	1,860	1,277	7,833
Swampscott	3,978	1,244	1,133	6,355
Topsfield	727	186	123	1,036
Wenham	787	187	133	1,107
West Newbury	420	143	173	736
Totals	128,322	48,690	57,386	234,398

County of Franklin.

Ashfield	222	91	85	398
Bernardston	199	133	93	425
Buckland	328	171	186	685
Charlemont	171	56	52	279
Colrain	250	106	107	463
Conway	154	74	74	302
Deerfield	645	300	290	1,235
Erving	297	101	145	543
Gill	232	96	83	411
Greenfield	4,170	1,962	1,509	7,641
Hawley	31	19	10	60
Heath	51	21	23	95
Leverett	119	53	44	216
Leyden	53	24	34	111
Monroe	28	9	17	54
Montague	1,763	798	1,131	3,692
New Salem	115	33	44	192
Northfield	481	195	151	827
Orange	1,192	399	607	2,198
Rowe	46	20	20	86
Shelburne	427	200	191	818
Shutesbury	69	13	11	93
Sunderland	297	121	116	534
Warwick	94	30	39	163
Wendell	57	15	34	106
Whately	175	70	111	356
Totals	11,666	5,110	5,207	21,983

County of Hampden.

Agawam	3,071	1,596	1,133	5,800
Blandford	183	65	46	294
Brimfield	271	130	131	532
Chester	302	119	75	496
CHICOFEE	10,230	4,782	5,231	20,243
East Longmeadow	1,996	613	821	3,430
Granville	213	72	64	349

County of Hampden — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Hampden	480	250	159	889
Holland	123	61	50	234
HOLYOKE	6,555	3,454	10,467	20,476
Longmeadow	2,968	944	592	4,504
Ludlow	2,723	1,336	1,255	5,314
Monson	930	452	569	1,951
Montgomery	59	37	32	128
Palmer	2,045	1,052	1,331	4,428
Russell	243	124	110	477
Southwick	826	500	312	1,638
SPRINGFIELD	19,923	9,305	27,099	56,327
Tolland	30	19	10	59
Wales	100	76	69	245
West Springfield	5,184	2,755	1,782	9,721
WESTFIELD	4,619	2,507	2,189	9,315
Wilbraham	1,728	615	475	2,818
Totals	64,802	30,864	54,002	149,668

County of Hampshire.

Amherst	1,959	897	542	3,398
Belchertown	702	400	263	1,365
Chesterfield	91	53	76	220
Cummington	161	83	73	317
Easthampton	2,584	1,188	1,351	5,123
Goshen	78	48	25	151
Granby	609	290	231	1,130
Hadley	474	258	407	1,139
Hatfield	399	192	313	904
Huntington	280	130	182	592
Middlefield	45	29	23	97
NORTHAMPTON	5,847	2,486	2,587	10,920
Pelham	150	78	56	284
Plainfield	55	27	30	112
South Hadley	2,746	1,144	877	4,767
Southampton	461	207	179	847
Ware	1,574	636	1,376	3,586
Westhampton	103	68	36	207
Williamsburg	439	219	232	890
Worthington	117	50	54	221
Totals	18,874	8,483	8,913	36,270

County of Middlesex.

Acton	1,494	529	297	2,320
Arlington	12,795	5,862	3,352	22,009
Ashby	386	102	120	608
Ashland	1,491	635	409	2,535
Ayer	729	311	291	1,331
Bedford	1,551	557	264	2,372
Belmont	8,344	3,059	2,245	13,648
Billerica	2,868	1,385	965	5,218
Boxborough	169	73	30	272
Burlington	1,663	903	446	3,012
CAMBRIDGE	20,902	10,154	8,932	39,988
Carlisle	312	100	68	480
Chelmsford	3,313	1,297	973	5,583
Concord	3,122	1,022	588	4,732
Dracut	2,690	1,205	1,375	5,270
Dunstable	151	58	71	280
EVERETT	5,134	2,337	10,070	17,541
Frammingham	8,250	3,499	2,531	14,280
Groton	919	275	283	1,477
Holliston	1,190	491	306	1,987
Hopkinton	1,045	456	363	1,864
Hudson	2,134	617	1,006	3,757
Lexington	5,699	1,504	2,278	9,481
Lincoln	1,160	283	197	1,640

County of Middlesex — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Littleton	876	336	228	1,440
LOWELL	21,806	9,222	9,716	40,744
MALDEN	12,932	5,422	6,094	24,448
MARLBOROUGH	3,871	1,476	1,805	7,152
Maynard	1,437	704	781	2,922
MEDFORD	13,905	6,828	7,085	27,818
MELROSE	8,626	2,787	1,755	13,168
Natick	6,003	2,748	1,752	10,503
NEWTON	24,512	8,361	5,997	38,870
North Reading	1,632	636	341	2,609
Pepperell	819	323	278	1,420
Reading	5,004	1,498	853	7,355
Sherborn	172	541	28	741
Shirley	500	172	231	903
SOMERVILLE	18,215	9,000	9,168	36,383
Stoneham	3,891	1,820	1,255	6,966
Stow	538	171	148	857
Sudbury	1,395	482	296	2,173
Tewksbury	2,144	1,084	636	3,864
Townsend	772	228	237	1,237
Tyngsborough	596	265	272	1,133
Wakefield	5,847	2,215	1,810	9,872
WALTHAM	7,037	2,724	8,540	18,301
Watertown	9,015	3,888	3,232	16,135
Wayland	2,385	688	439	3,512
Westford	1,206	439	579	2,224
Weston	2,323	666	303	3,292
Wilmington	2,099	992	541	3,632
Winchester	5,459	1,836	1,226	8,521
WOBURN	5,828	3,572	2,607	12,007
Totals	258,406	107,838	105,693	471,937

County of Nantucket.

Nantucket	568	340	569	1,477
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County of Norfolk.

Avon	812	305	293	1,410
Bellingham	1,062	606	577	2,245
Braintree	7,638	2,746	1,676	12,060
Brookline	9,159	3,016	13,203	25,378
Canton	2,551	1,089	814	4,454
Cohasset	1,530	491	319	2,340
Dedham	5,598	1,978	1,716	9,292
Dover	887	226	148	1,261
Foxborough	1,830	617	416	2,863
Franklin	1,675	702	855	3,232
Holbrook	1,769	684	551	3,004
Medfield	996	380	286	1,662
Medway	1,020	371	395	1,786
Millis	798	381	298	1,477
Milton	7,543	2,817	2,110	12,470
Needham	7,238	2,195	1,369	10,802
Norfolk	462	215	146	823
Norwood	5,106	2,389	1,731	9,226
Plainville	740	234	233	1,207
QUINCY	20,858	7,891	6,999	35,748
Randolph	3,290	1,594	1,077	5,961
Sharon	2,307	843	536	3,686
Stoughton	3,068	1,241	1,021	5,330
Walpole	3,101	1,053	783	4,937
Wellesley	7,280	2,085	1,246	10,611
Westwood	2,990	869	600	4,459
Weymouth	10,238	3,767	2,446	16,451
Wrentham	873	356	303	1,532
Totals	112,419	41,141	42,147	195,707

County of Plymouth.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Abington	2,340	758	626	3,724
Bridgewater	1,705	667	679	3,051
BROCKTON	15,621	5,856	5,788	27,215
Carver	260	113	127	500
Duxbury	1,378	385	324	2,087
East Bridgewater	1,169	404	361	1,937
Halifax	338	119	130	587
Hanover	1,175	383	332	1,890
Hanson	781	265	226	1,272
Hingham	4,098	1,036	728	5,862
Hull	1,395	600	607	2,602
Kingston	907	291	378	1,576
Lakeville	622	259	235	1,116
Marion	589	209	207	1,005
Marshfield	1,583	506	336	2,425
Mattapoisett	692	261	274	1,227
Middleborough	2,243	991	818	4,052
Norwell	1,301	326	234	1,861
Pembroke	947	299	237	1,483
Plymouth	2,798	1,111	1,466	5,375
Plympton	197	68	49	314
Rochester	280	103	96	479
Rockland	2,347	813	885	4,045
Scituate	2,517	718	669	3,904
Wareham	1,457	597	692	2,746
West Bridgewater	1,260	399	330	1,989
Whitman	2,216	767	687	3,670
Totals	52,216	18,304	17,474	87,994

County of Suffolk.

BOSTON	88,922	44,580	109,939	243,441
CHELSEA	5,917	2,516	4,496	12,929
REVERE	7,796	3,433	4,751	15,980
Winthrop	4,404	1,908	1,905	8,217
Totals	107,039	52,437	121,091	280,567

County of Worcester.

Ashburnham	662	175	213	1,050
Athol	2,776	977	1,160	4,913
Auburn	3,388	996	1,150	5,534
Barre	697	254	521	1,472
Berlin	331	118	126	575
Blackstone	1,110	400	520	2,030
Bolton	313	75	92	480
Boylston	598	162	140	900
Brookfield	403	127	195	725
Charlton	625	219	305	1,149
Clinton	2,684	966	1,636	5,286
Douglas	717	227	375	1,319
Dudley	1,243	385	827	2,455
East Brookfield	336	97	148	581
FITCHBURG	9,488	3,034	4,189	16,711
GARDNER	4,070	1,432	2,280	7,782
Grafton	1,873	567	1,013	3,453
Hardwick	426	157	342	925
Harvard	480	131	112	723
Holden	2,978	624	633	4,235
Hopedale	1,133	399	368	1,900
Hubbardston	238	77	89	404
Lancaster	725	287	256	1,268
Leicester	1,694	600	788	3,082
LEOMINSTER	5,731	2,045	3,024	10,800
Lunenburg	1,319	346	348	2,013
Mendon	519	183	196	898
Millford	3,412	1,241	2,824	7,477
Millbury	1,865	742	1,051	3,658

County of Worcester — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Millville	328	107	305	740
New Braintree	103	23	33	169
North Brookfield	753	237	466	1,456
Northborough	1,477	470	364	2,311
Northbridge	2,709	811	1,032	4,552
Oakham	130	27	49	206
Oxford	1,590	662	669	2,921
Paxton	610	173	176	959
Petersham	221	52	59	332
Phillipston	141	43	44	233
Princeton	351	92	85	528
Royalston	139	62	57	258
Rutland	513	173	114	800
Shrewsbury	3,695	1,101	1,190	5,986
Southborough	794	271	278	1,343
Southbridge	3,739	1,196	2,715	7,650
Spencer	1,609	565	1,065	3,239
Sterling	698	203	225	1,126
Sturbridge	782	238	477	1,497
Sutton	711	215	342	1,268
Templeton	912	385	410	1,707
Upton	699	219	404	1,322
Uxbridge	1,799	637	880	3,316
Warren	703	242	486	1,431
Webster	2,944	985	2,103	6,032
West Boylston	1,360	371	300	2,031
West Brookfield	461	168	200	829
Westborough	1,585	645	538	2,768
Westminster	758	271	243	1,272
Winchendon	1,218	396	648	2,262
WORCESTER	43,848	14,861	16,999	75,708
Totals	129,214	42,959	57,877	230,050

AGGREGATE OF VOTES.

Counties.	Yes.	No.	Blanks.	Total Votes.
BARNSTABLE	13,159	5,700	4,434	23,293
BERKSHIRE	28,366	9,883	17,665	55,914
BRISTOL	84,822	31,220	45,214	161,256
DUKES COUNTY	1,155	550	636	2,341
ESSEX	128,322	48,690	57,386	234,398
FRANKLIN	11,666	5,110	5,207	21,983
HAMPDEN	64,802	30,864	54,002	149,668
HAMPSHIRE	18,874	8,483	8,913	36,270
MIDDLESEX	258,406	107,838	105,693	471,937
NANTUOKET	568	340	569	1,477
NORFOLK	112,419	41,141	42,147	195,707
PLYMOUTH	52,216	18,304	17,474	87,994
SUFFOLK	107,039	52,437	121,091	280,567
WORCESTER	129,214	42,959	57,877	230,050
TOTALS	1,011,028	403,519	538,308	1,952,855

APPENDIX

The following table and index have been prepared by CHARLES J. INNES, Esq., and FREDERICK B. WILLIS, Esq., counsel, respectively, to the Senate and House of Representatives, in accordance with section fifty-one of chapter three of the General Laws.

TABLE OF CHANGES

SHOWING

TO WHAT EXTENT THE GENERAL LAWS OF THE COMMONWEALTH, AS APPEARING IN THE TERCENTENARY EDITION, HAVE BEEN AFFECTED BY LEGISLATION PASSED BY THE GENERAL COURT FROM JANUARY FIRST, NINETEEN HUNDRED AND THIRTY-TWO TO THE END OF THE REGULAR ANNUAL LEGISLATIVE SESSION ON SEPTEMBER SEVENTEENTH, NINETEEN HUNDRED AND FIFTY-NINE.*†

Chapter 1. — Jurisdiction of the Commonwealth and of the United States.

SECT. 3 revised, 1933, 278 § 1.

Chapter 2. — Arms, Great Seal and Other Emblems of the Commonwealth.

SECT. 7, sentence added at end, 1953, 245.

SECT. 8 added, 1941, 121 (designating the American elm as the state tree).

SECT. 9 added, 1941, 121 (designating the Chickadee as the state bird).

Chapter 3. — The General Court.

SECT. 1 revised, 1946, 130 § 1.

SECT. 5 amended, 1937, 364 § 1; 1939, 508 § 1; 1956, 31.

SECT. 6 revised, 1937, 364 § 2; amended, 1939, 424 § 1; repealed, 1943, 549 § 2. (See 1939, 424 § 3.)

SECT. 6A added, 1939, 424 § 2 (imposing restrictions on the granting of authority to use the designation of junior college); repealed, 1943, 549 § 2. (See 1939, 424 § 3.)

SECT. 7 revised, 1937, 364 § 3; first sentence amended, 1943, 549 § 2A.

SECT. 9 revised, 1937, 236 § 1; 1941, 307 § 1; amended, 1941, 600 § 1; revised, 1945, 38 § 1. (See 1941, 307 § 2; 1941, 600 § 2.)

SECT. 9 stricken out and sections 9 and 9A (relative to payment of allowances for travel and other expenses to members of the general court) inserted, 1945, 248 § 1. (See 1945, 248 §§ 4, 5.)

SECT. 9, first two sentences amended, 1948, 655 § 1; revised, 1949, 784 § 1; two sentences inserted after second sentence, 1949, 801 § 1; third sentence amended, 1950, 247 § 1; first four sentences revised, 1951, 803 § 1; last sentence revised, 1953, 171; section revised, 1956, 742 § 1. (See 1948, 655 §§ 3, 4; 1949, 784 § 3, 801 § 2; 1950, 247 § 2; 1951, 803 § 2; 1956, 742 §§ 2, 3.)

SECT. 9A repealed, 1952, 635 § 1.

SECT. 9B added, 1953, 263 § 1 (relative to travel and expense allowances for members of the general court).

* For table showing changes in legislation made during the years 1921 to 1931, inclusive, see Table of Changes contained in pages 485-597 of the Acts and Resolves of 1932.

† References in this table are to the Tercentenary Edition of the General Laws, as most recently amended, unless otherwise specified.

SECT. 10 amended, 1945, 38 § 2; revised, 1945, 248 § 2; 1948, 655 § 2; 1949, 784 § 2; amended, 1951, 803 § 1A; 1952, 635 § 3; revised, 1957, 733 § 1. (See 1945, 248 §§ 4, 5; 1948, 655 §§ 3, 4; 1949, 784 § 3; 1951, 803 § 2; 1957, 733 § 2.)

SECT. 11 repealed, 1937, 236 § 2.

SECT. 12 revised, 1937, 360 § 1; 1943, 260 § 1. (See 1937, 360 §§ 3-5; 1943, 260 § 3.)

SECT. 12A added, 1952, 3 (authorizing the use of facsimiles of the signatures of the clerks of the senate and house of representatives in certain cases).

SECT. 13 revised, 1937, 360 § 2; amended, 1941, 230; revised, 1943, 260 § 2. (See 1937, 260 §§ 3-5; 1943, 260 § 3.)

SECT. 14 revised, 1948, 139.

SECT. 15 revised, 1945, 421 § 1; paragraph added at end, 1949, 806 § 1. (See 1945, 421 § 5.)

SECT. 16 revised, 1949, 806 § 2.

SECT. 18 amended, 1941, 433 § 1; 1943, 104; revised, 1945, 421 § 2. (See 1941, 433 § 4; 1945, 421 § 5.)

SECT. 19 amended, 1935, 210; 1949, 806 § 3; 1955, 782; 1956, 81, 732.

SECT. 20 revised, 1939, 508 § 2; amended, 1941, 433 § 2; 1945, 38 § 3; 421 § 4; revised, 1945, 488 § 1; 1952, 572 § 1; repealed, 1952, 635 § 2. (See 1941, 433 § 4; 1945, 421 § 5; 488 §§ 2, 3; 1952, 572 § 2.)

SECT. 20A added, 1937, 189 (relative to the purchase of uniforms for the sergeant-at-arms, doorkeepers, assistant doorkeepers, general court officers and pages of the general court).

SECT. 21 revised, 1945, 421 § 3. (See 1945, 421 § 5.)

SECT. 22 amended, 1939, 508 § 3.

SECT. 23 revised, 1941, 347.

SECT. 28A added, 1954, 454 (providing a penalty for refusal to appear and testify before the General Court or a committee or commission thereof in certain cases).

SECT. 32A added, 1950, 808 § 1 (relative to travel expenses of certain special commissions and committees). (See 1950, 808 § 2.)

SECT. 46 amended, 1939, 508 § 4.

SECT. 47 amended, 1939, 508 § 5.

SECT. 49 amended, 1939, 508 § 6.

SECT. 51 amended, 1939, 508 § 7.

SECT. 53 revised, 1939, 376 § 1; sentence inserted after first sentence, 1958, 672 § 2. (See 1939, 376 § 2.)

SECT. 55A added, 1958, 672 § 1 (providing for the appointment of recodification counsel). (See 1958, 672 § 3.)

SECTS. 56-61 added, 1954, 607 § 2 (establishing a legislative research council and legislative research bureau).

SECT. 58 amended, 1955, 137.

SECT. 60, two sentences added at end, 1955, 579.

Chapter 4. — Statutes.

SECT. 4A added, 1952, 223 (permitting certain towns to revoke their acceptance of certain special acts).

SECT. 5 revised, 1935, 69.

SECT. 7, clause Third revised, 1951, 215 § 1; clause Ninth revised, 1941, 509 § 1; 1945, 242 § 1; 637 § 1; clause Eighteenth amended, 1934, 283; 1935, 26; 1936, 180; 1937, 38; 1938, 245; 1941, 91 § 1; 1946, 190; 1948, 241; clause revised, 1958, 140; clause Twenty-sixth revised, 1958, 626 § 1; clause Forty-second stricken out, 1953, 319 § 2; clause Forty-third added, 1954, 627 § 1; amended, 1957, 164 § 1; 1955, 403 § 1; clause Forty-fourth added, 1955, 683; clause Forty-fifth added, 1957, 765 § 3. (See 1941, 509 § 9; 1945, 279; 1953, 319 §§ 39, 40; 1954, 128 § 2, 627 §§ 65, 67; 1955, 403 §§ 7-14; 1956, 281 § 3; 1957, 164 § 2, 765 § 21.)

SECT. 10, first sentence amended, 1954, 180.

Chapter 5. — Printing and Distribution of Laws and Public Documents.

As to the distribution of the Tercentenary Edition of the General Laws, see 1941, Resolve 19.

SECT. 1, last paragraph revised, 1932, 254; two paragraphs added at end, 1937, 373; section revised, 1938, 419; amended, 1941, 428; first paragraph amended, 1945, 580 § 1; last five paragraphs stricken out and six paragraphs inserted, 1955, 614. (See 1945, 580 § 9.)

SECT. 2, paragraphs (4) and (6) revised, 1939, 508 § 8; 1945, 252; paragraph (7) revised, 1957, 681 § 1.

SECT. 3, paragraph in lines 10-11 revised, 1947, 320 § 1; paragraphs in lines 12-42 amended, 1938, 196; second of said paragraphs amended, 1947, 320 § 2; 1941, 351 § 1; 1958, 613 § 1A; paragraph in lines 52-62 amended, 1953, 319 § 3; paragraphs in lines 63-68 revised, 1947, 320 § 1.

SECT. 4, second paragraph amended, 1953, 319 § 4; 1957, 681 § 2.

SECT. 4A added, 1947, 569 (providing for the printing and distribution of a cumulative table of changes in the general statutes from time to time during the session of the general court).

SECT. 6 amended, 1939, 508 § 9; revised, 1943, 344 § 1; amended, 1945, 580 § 2. (See 1945, 580 § 9.)

SECT. 8 amended, 1945, 580 § 3. (See 1945, 580 § 9.)

SECT. 9 amended, 1933, 245 § 1; 1946, 209 § 1; 1951, 68, 474; 1953, 22.

SECT. 10 revised, 1939, 508 § 10; first paragraph amended, 1945, 38 § 4.

SECT. 11, paragraph in thirteenth line revised, 1941, 329; paragraph in lines 14-31 stricken out, and two paragraphs inserted, 1945, 538; section amended, 1947, 295.

SECT. 12 amended, 1948, 1; 1952, 179.

SECT. 18 amended, 1935, 226 § 1; revised, 1943, 313; amended, 1946, 466; sentence added at end, 1950, 811.

Chapter 6. — The Governor, Lieutenant Governor and Council, Certain Officers under the Governor and Council, and State Library.

For temporary legislation establishing an emergency finance board and defining its powers and duties, see 1933, 49.

SECT. 1 amended, 1946, 591 § 1.

SECT. 2 amended, 1946, 591 § 2; 1949, 722; 1955, 730 § 1. (See 1955, 730 § 43.)

SECT. 3 amended, 1943, 314 § 1; 1949, 781 § 1. (See 1943, 314 § 2; 1949, 781 § 2.)

SECT. 6 revised, 1954, 156.

SECT. 6A added, 1952, 457 (establishing the offices of administrative secretary and executive stenographer in the executive department).

SECT. 8 amended, 1941, 722 § 1; revised, 1943, 348 § 1.

SECT. 12A revised, 1954, 661 § 1. (See 1954, 661 § 2.)

SECT. 12B added, 1932, 14 (relative to the observance of the anniversary of the death of Brigadier General Casimir Pulaski).

SECT. 12C added, 1932, 153 (relative to the observance of the anniversary of the battle of Bunker Hill). (See 1941, 91.)

SECT. 12D added, 1932, 242 (relative to the observance of the anniversary of the Boston Massacre, etc.).

SECT. 12E added, 1934, 191 (relative to the observance of the anniversary of the death of Commodore John Barry).

SECT. 12F added, 1935, 23 (relative to the observance of the anniversary of the battle of New Orleans); amended, 1938, 49.

SECT. 12G added, 1935, 96 (providing for an annual proclamation by the governor relative to American Education Week).

SECT. 12H added, 1935, 148 (relative to the observance of the anniversary of the death of General Marquis de Lafayette).

SECT. 12I added, 1935, 184 (relative to the annual observance of Indian Day); revised, 1939, 56.

SECT. 12J added, 1938, 22 (relative to the annual observance of April nineteenth as Patriots' Day).

SECT. 12K added, 1938, 80 (relative to the annual observance of Evacuation Day, so called).

SECT. 12L added, 1941, 387 (relative to the annual observance of Veteran Firemen's Muster Day).

SECT. 12M added, 1947, 561 (relative to the annual observance of Good Government Day); revised, 1951, 650; amended, 1959, 368.

SECT. 12N added, 1949, 75 (relative to the annual observance of United Nations Day); sentence added at end, 1955, 265 § 1.

SECT. 12O added, 1949, 263 (relative to the annual observance of Loyalty Day).

SECT. 12P added, 1952, 104 (relative to the annual observance of civil rights week).

SECT. 12Q added, 1953, 84 (relative to the annual observance of Memorial Day).

SECT. 12R added, 1953, 172 (relative to the annual observance of Polish Constitution Day).

SECT. 12S added, 1954, 124 (relative to the annual observance of March fifteenth as Peter Francisco Day).

SECT. 12T added, 1955, 265 § 2 (relative to the annual observance of Washington Day, Mothers' Day, Fathers' Day, Purple Heart Day, Disabled American Veterans' Hospital Day and Army and Navy Union Day).

SECT. 12U added, 1956, 618 (relative to the annual observance of Children's Day); revised, 1958, 81.

SECT. 12V added, 1958, 110 (relative to the annual observance of Columbus Day).

SECT. 12W added, 1959, 358 (relative to the annual observance of September as sight-saving month).

SECT. 15 amended, 1946, 201.

SECT. 15A added, 1953, 170 (relative to the annual observance of Constitution Day).

SECT. 15B added, 1956, 106 (relative to the annual observance of Senior Citizens Day); amended, 1957, 39.

SECT. 15C added, 1957, 44 (providing for an annual proclamation by the governor designating February as American History Month).

SECT. 15D added, 1958, 125 (relative to the annual observance of Massachusetts Art Week).

SECT. 15E added, 1958, 265 (relative to the annual observance of Susan B. Anthony Day).

SECT. 15F added, 1958, 662 § 1 (relative to the annual observance of Employ the Handicapped Week).

SECT. 16 amended, 1941, 490 § 1.

SECT. 17 amended, 1932, 305 § 1; 1933, 120 § 1, 336 § 1; 1934, 374 § 1; 1935, 475 § 1; revised, 1939, 393 § 1; amended, 1945, 393 § 1; revised, 1945, 619 § 1; amended, 1946, 368 § 2; revised, 1946, 612 § 1; amended, 1947, 466 § 1; 513 § 1; 1948, 260 § 2; revised, 1948, 310 § 1; 476 § 1, 637 § 1; amended, 1950, 479 § 1; 1951, 511 § 1; 1952, 605 § 16; 1953, 409 § 4; revised, 1953, 608 § 1; amended, 1953, 612 § 1; 1954, 581 § 1; 537 § 1; 1955, 584 § 1; revised, 1956, 602 § 1; amended, 1956, 645 § 1; revised, 1956, 708 § 1; amended, 1956, 715 § 1; revised, 1957, 623 § 1; amended, 1957, 691 § 1; 1958, 577 § 1; revised, 1958, 623 § 1; amended, 1959, 418 § 1; 1958, 662 § 2. (See 1933, 336 § 3; 1948, 260 §§ 5, 6; 310 §§ 30, 31; 476 §§ 3, 4; 637 §§ 4-9, 13; 663 § 4; 1950, 479 §§ 6, 7; 1952, 605 §§ 15, 19-21; 1955, 584 §§ 9, 10; 1956, 602 §§ 17-20; 1959, 418 §§ 5-8.)

SECT. 18 and heading stricken out and new section inserted, under heading "ARMORY COMMISSION", 1937, 300 § 1; sentence added at end, 1941, 19. (See 1937, 300 § 2.)

SECT. 22 amended, 1936, 341 § 1; heading and section amended, 1943, 455 § 1; 1945, 393 § 2; paragraph added at end, 1946, 584 § 18; section amended, 1946, 591 § 3; 1950, 705; 1956, 196 § 1; 1958, 236 § 1; paragraph added at end, 1951, 753 § 2. (See 1936, 341 § 2; 1946, 584 § 22; 1958, 236 § 2.)

SECT. 24 amended, 1941, 596 § 1; 1943, 455 § 2; 1945, 393 § 3.

SECT. 25 revised, 1945, 730 § 2.

SECT. 28 amended, 1938, 18; 1947, 315; 1953, 456.

SECT. 28A amended, 1934, 208 § 1; 1945, 393 § 4.

SECT. 28E added, 1934, 208 § 2 (relative to the dissemination of information concerning the public bequest fund).

SECT. 31 revised, 1943, 479; amended, 1948, 569.

SECT. 32, paragraph added at end, 1937, 227; revised, 1938, 473 § 1; 1943, 43; amended, 1947, 30 § 1; 1957, 193 § 2.

SECT. 42 added, under caption "MILK REGULATION BOARD", 1932, 305 § 2; revised, 1946, 496; first two sentences revised, 1953, 604 § 7.

SECTS. 43-45 added, 1933, 120 § 2 (relative to the alcoholic beverages control commission).

SECT. 43 amended, 1933, 375 § 1; next to last sentence revised, 1950, 785.

SECT. 44, first paragraph revised, 1933, 376 § 1.

SECT. 45 revised, 1941, 596 § 2.

SECTS. 46 and 47 added, 1933, 336 § 2 (relative to the Greylock reservation commission). (See 1933, 336 § 3.)

SECT. 48 added, under caption "STATE RACING COMMISSION", 1934, 374 § 2; third paragraph amended, 1955, 730 § 2; last paragraph revised, 1941, 596 § 3. (See 1955, 730 § 43.)

SECTS. 49-52 added, under caption "STATE PLANNING BOARD", 1935, 475 § 2.

SECT. 49 amended, 1936, 307; 1939, 451 § 1; revised, 1941, 466 § 5; sentence inserted after fourth sentence, 1951, 596. (See 1941, 466 §§ 1-4, 7A, 8.)

SECT. 50A added, 1941, 466 § 7 (relative to the powers and duties of the state planning board formerly exercised by the metropolitan planning division). (See 1941, 466 §§ 1-4, 7A, 8.)

SECTS. 49-52 repealed, 1953, 409 § 2.

SECTS. 53-55 added, 1945, 619 § 2 (establishing a Port of Boston Authority). (See 1945, 619 §§ 4-11.)

SECT. 53, caption and section revised, 1953, 608 § 2 (establishing the Port of Boston Commission). (See 1953, 608 §§ 13-16.)

SECT. 53A added, 1953, 608 § 2 (establishing an advisory council to the Port of Boston Commission).

SECT. 54 amended, 1953, 608 § 3.

SECT. 55 amended, 1953, 608 § 4.

SECT. 56 added, 1946, 368 § 3 (establishing the Massachusetts Fair Employment Practice Commission); first sentence of third paragraph revised, 1951, 588; caption revised and section amended, 1950, 479 § 2; last paragraph amended, 1948, 411. (See 1950, 479 §§ 6, 7.)

SECTS. 57-59 added, 1946, 583 § 1 (relative to the Massachusetts Aeronautics Commission). (See G. L. 90 §§ 36-38, repealed by 1946, 583 § 2. See also 1946, 583 § 4.)

SECTS. 59A-59C added, 1948, 637 § 2 (establishing the State Airport Management Board). (See 1948, 637 §§ 4-9, 13, 663 § 4.)

SECT. 59B, sentence added at end, 1948, 663 § 1. (See 1948, 663 §§ 4, 5.)

SECT. 60 added, 1946, 612 § 2 (establishing the Outdoor Advertising Authority); last paragraph revised, 1952, 468; section and caption preceding it stricken out, 1955, 584 § 2. (See 1946, 612 §§ 5, 6; 1955, 584, §§ 9, 10.)

SECTS. 61 and 62 added, 1947, 466 § 2 (establishing the Massachusetts Public Building Commission); caption preceding section 61 stricken out, 1953, 612 § 2; both sections stricken out, 1953, 612 § 3. (See 1947, 46 §§ 4-6; 1953, 612 §§ 10-13.)

SECT. 63 added, 1947, 513 § 2 (establishing a commission on alcoholism); repealed and heading preceding section stricken out, 1954, 581 § 2. (See 1954, 581 §§ 4, 5.)

SECT. 64 added, 1948, 260 § 3 (establishing the State Housing Board); sixth sentence stricken out and two sentences inserted, 1949, 577; second paragraph amended, 1954, 396. (See 1948, 260 §§ 5, 6.)

SECTS. 65-69 added, 1948, 310 § 2 (establishing the Youth Service Board). (See 1948, 310 §§ 30, 31; 542.)

SECT. 65 revised, 1952, 605 § 1; first paragraph revised, 1955, 766 § 1. (See 1952, 605 §§ 19-21.)

SECT. 66 revised, 1952, 605 § 2; second sentence revised, 1955, 730 § 2A. (See 1952, 605 §§ 15, 19-21; 1955, 730 § 43.)

SECT. 67, paragraph (2) stricken out, 1952, 605 § 17; section revised, 1955, 766 § 2. (See 1952, 605 §§ 15, 19-21.)

SECT. 68 repealed, 1952, 605 § 18. (See 1952, 605 §§ 15, 19-21.)

SECT. 69 revised, 1955, 766 § 3. (See 1955, 766 § 6.)

SECT. 69A added, 1955, 766 § 4 (relative to the division of the commonwealth into juvenile districts).

SECT. 69B added, 1956, 470 (relative to the expenditure of funds by the division of youth service for delinquency prevention, and the acceptance of federal funds therefor).

SECTS. 70 and 71 added, 1948, 476 § 2 (establishing the Board of Trustees of the Soldiers' Home in Holyoke). (See 1948, 476 §§ 3, 4.)

SECT. 72 added, 1951, 511 § 2 (establishing the weather amendment board); fourth sentence revised, 1958, 425 § 2.

SECT. 73 added, 1954, 537 § 2 (establishing a council for the aging); revised, 1955, 591. (See 1954, 537 § 3.)

SECTS. 74-84 added, 1956, 602 § 2 (establishing the Massachusetts rehabilitation commission). (See 1956, 602 §§ 17-20.)

SECT. 77, definition of "Vocational rehabilitation services" amended, 1959, 328 § 1.

SECT. 78 amended, 1959, 328 § 2.

SECTS. 85-93 added, 1956, 645 § 2 (establishing the Massachusetts commission on atomic energy).

SECTS. 94-96 added, under caption, 1956, 715 § 2 (establishing a program for the control of alcoholism and establishing an office of commissioner on alcoholism). (See 1956, 715 §§ 27, 28.)

SECT. 94 repealed and caption preceding said section stricken out, 1959, 418 § 2.

SECT. 95 amended, 1958, 502; repealed, 1959, 418 § 2.

SECT. 96, paragraph added at end, 1958, 476; section repealed, 1959, 418 § 2.

SECTS. 97 and 98 added, under caption, 1956, 708 § 2 (establishing a finance advisory board).

SECT. 99 added, under caption, 1957, 623 § 2 (creating the boxers fund board for the benefit of boxers and former boxers in need of financial assistance). (See 1957, 623 § 4.)

SECT. 100 added, under caption, 1957, 691 § 2 (establishing a medical, dental and nursing scholarship board).

SECT. 101 added, 1958, 577 § 2 (creating an obscene literature control commission). (See 1958, 577 § 3.)

SECTS. 102-104 added, under caption, 1958, 623 § 2 (establishing a retirement law commission). (See 1958, 623 § 3.)

SECTS. 105-107 added, under caption, 1958, 662 § 3 (establishing a commission on employment of the handicapped).

Chapter 7. — Commission on Administration and Finance.

SECT. 2 revised, 1948, 610 § 1. (See 1948, 610 §§ 6, 7.)

SECT. 3 amended, 1946, 591 § 4; revised, 1948, 610 § 2; 1951, 717 § 1; fourth sentence revised, 1955, 730 § 3; fifth and sixth sentences stricken out and sentence inserted, 1954, 332. (See 1948, 610 §§ 6, 7; 1955, 730 § 43.)

SECT. 3A added, 1958, 661 (establishing the office of federal-state coordinator).

SECT. 4 revised, 1948, 610 § 4; 1951, 717 § 2; third sentence revised, 1955, 730 § 4. (See 1948, 610 §§ 6, 7; 1955, 730 § 43.)

SECTS. 5A and 5B added, 1953, 612 § 4 (establishing a division of building construction). (See 1953, 612 §§ 10-13.)

SECT. 6 revised, 1948, 610 § 3; 1950, 824; amended, 1951, 558. (See 1948, 610 §§ 6, 7.)

SECT. 6A added, 1941, 433 § 3 (providing for the appointment of the postmaster and assistant postmaster of the central mailing room by the Commission on Administration and Finance); revised, 1950, 547 § 1. (See 1941, 433 § 4; 1950, 547 § 2.)

SECT. 6B added, 1951, 440 § 1 (establishing first aid facilities in the state house). (See 1951, 440 §§ 2, 3.)

SECTS. 6C and 6D added, 1953, 636 § 1 (relative to hospital expenses for public welfare and other public assistance patients). (See 1953, 636 §§ 6-9.)

SECT. 6D, third paragraph amended, 1956, 198.

SECT. 7 amended, 1945, 457; revised, 1948, 610 § 5; paragraph added at end, 1949, 448; same paragraph amended, 1950, 512; 1951, 455; revised, 1953, 526; stricken out, 1954, 680 § 1. (See 1948, 610 §§ 6, 7.)

SECT. 7A added, 1950, 698 (authorizing the commissioner of administration to enter into agreements with certain towns for fire protection of certain state institutions).

SECT. 13 revised, 1950, 272.

SECT. 14 revised, 1950, 273.

SECT. 15 amended, 1948, 254.

SECT. 16 revised, 1950, 274; first sentence amended, 1953, 40.

SECT. 22, clause (17) revised, 1933, 353 § 1; 1958, 638; clause (18) added, 1955, 727; amended, 1959, 96.

SECT. 23A added, 1933, 353 § 2 (providing a preference in the purchase of supplies and materials by contractors for certain state work in favor of domestic supplies and materials).

SECT. 25A added, 1943, 344 § 2 (authorizing the state purchasing agent to regulate purchases of supplies and transfers thereof from one state agency to another); revised, 1953, 201.

SECT. 26 amended, 1939, 451 § 2.

SECT. 28 revised, 1954, 680 § 2; third paragraph amended, 1955, 643 § 7. (See 1955, 643 § 12.)

SECT. 28A added, 1954, 680 § 3 (relative to the development of training programs for certain state employees by the division of personnel and standardization).

SECT. 29 amended, 1945, 580 § 4. (See 1945, 580 § 9.)

SECT. 30 amended, 1952, 144.

SECTS. 30A-30J added, 1953, 612 § 5 (relative to public building construction). (See 1953, 612 §§ 10-13.)

SECT. 30A, second sentence stricken out and three sentences inserted, 1956, 399.

SECT. 30H, sentence inserted after first sentence, 1955, 548.

SECT. 30K added, 1953, 636 § 2 (relative to the annual determination by the director of hospital costs of the all-inclusive per diem cost for care

of patients in each hospital, sanatorium and infirmary licensed by the department). (See 1953, 636 §§ 7 and 9.)

SECT. 30L added, 1956, 696 § 1 (establishing minimum weekly rates for persons in nursing and convalescent homes who are recipients of public aid); first paragraph amended, 1958, 480; section revised, 1958, 600. (See 1956, 696 § 2.)

SECT. 31 revised, 1950, 275.

SECT. 31A added, 1953, 504 (providing for recognition of state employees' suggestions which increase the efficiency of state government); revised, 1954, 546.

SECT. 33 revised, 1939, 499 § 1; 1945, 292 § 1.

SECT. 34 revised, 1950, 276.

Chapter 8. — State Superintendent of Buildings, and State House.

SECTS. 1-12 affected, 1935, 327; 1941, 627 § 3.

SECT. 1 revised, 1938, 249 § 1. (See 1938, 249 § 6.)

SECT. 4 amended, 1935, 251; revised, 1937, 84 § 1; 1938, 249 § 2. (See 1937, 84 § 2; 1938, 249 § 6.)

SECTS. 4A and 4B added, 1955, 581 (authorizing payment of certain expenses of capitol police officers injured in the performance of duty and indemnifying them for certain other expenses and damages).

SECT. 5 revised, 1935, 460 § 1; amended, 1938, 387 § 1; 1946, 591 § 5. (See 1935, 460 § 2; 1938, 387 § 2.)

SECT. 6 revised, 1953, 612 § 6. (See 1953, 612 §§ 10-13.)

SECT. 9 amended, 1938, 249 § 3. (See 1938, 249 § 6.)

SECT. 10 amended, 1938, 249 § 4; 1943, 440 § 1. (See 1938, 249 § 6.)

SECT. 10A revised, 1933, 170; 1941, 267; amended, 1943, 440 § 2; revised, 1945, 706; paragraph inserted before last sentence, 1952, 391; amended, 1955, 317 § 1; sentence added at end, 1946, 585; last sentence stricken out and paragraph inserted, 1953, 638. (See 1955, 317 § 2.)

SECT. 12 revised, 1938, 249 § 5; sentence inserted after "officers" in line 12, 1947, 66. (See 1938, 249 § 6.)

SECT. 16A added, 1948, 190 § 1 (providing for the preservation of room numbered twenty-seven in the state house as a memorial and shrine to the Grand Army of the Republic).

SECT. 17 amended, 1932, 188 § 1; 1933, 199 § 1; 1947, 350 § 1; revised, 1948, 190 § 2; amended, 1951, 807; revised, 1952, 300, 390; 1953, 664.

SECT. 17A added, 1956, 107 § 1 (relative to the care, custody and preservation of certain flags carried in time of war).

SECT. 18 amended, 1932, 188 § 2; 1933, 199 § 2; 1947, 350 § 2.

SECT. 19 revised, 1956, 435.

Chapter 9. — Department of the State Secretary.

SECT. 1 amended, 1946, 591 § 6; revised, 1949, 789 § 1; third sentence revised, 1955, 730 § 5. (See 1949, 789 § 5; 1955, 730 § 43.)

SECT. 2 revised, 1935, 416; 1939, 283; 1941, 587; 1958, 586.

SECT. 6 amended, 1934, 25 § 1.

SECT. 7 amended, 1934, 25 § 2; 1939, 342 § 1.

SECT. 9 amended, 1934, 127.

SECT. 15 amended, 1934, 19.

SECT. 17 amended, 1934, 37; revised, 1936, 31 § 1.

SECT. 20 added, 1935, 402 (regulating the publication and sale of the Massachusetts Reports and of the advance sheets of the opinions and decisions of the Supreme Judicial Court); revised, 1943, 426.

SECTS. 21-25 added, under caption, 1937, 404 § 1 (establishing a commission on interstate co-operation as successor to the commission on interstate compacts affecting labor and industries and defining its powers and duties, and providing for a commission required to be established under an interstate compact on the minimum wage). (See 1937, 404 §§ 2, 3.)

SECT. 21 amended, 1941, 394 § 1; 1953, 409 § 5.

SECT. 23 amended, 1941, 394 § 2.

SECT. 25 repealed, 1943, 255 § 2. (See 1943, 255 § 3.)

Chapter 10. — Department of the State Treasurer.

For temporary legislation establishing an emergency finance board, and defining its powers and duties, see 1933, 49.

SECT. 1 amended, 1946, 591 § 7; revised, 1949, 789 § 2; second sentence revised, 1955, 730 § 6. (See 1949, 789 § 5; 1955, 730 § 43.)

SECT. 5, first sentence revised, 1941, 596 § 4; 1945, 489.

SECT. 7 revised, 1948, 533.

SECT. 8 amended, 1932, 180 § 1; revised, 1943, 427 § 1.

SECT. 8A, last sentence stricken out, 1950, 314.

SECT. 11 revised, 1939, 499 § 2; amended, 1945, 292 § 2; revised, 1959, 612 § 1. (See 1959, 612 § 10.)

SECT. 16 amended, 1954, 419 § 5A.

SECT. 17 amended, 1941, 194 § 1.

SECT. 17A added, 1943, 362 § 2 (providing for the receipt and disposal, by the state treasurer, of certain gifts made to the commonwealth for military purposes).

SECT. 18 revised, 1945, 658 § 2. (See 1945, 658 § 11.)

SECT. 19 revised, 1945, 658 § 3. (See 1945, 658 § 11.)

Chapter 11. — Department of the State Auditor.

SECT. 1 amended, 1946, 591 § 8; revised, 1949, 789 § 3; second sentence revised, 1955, 730 § 7. (See 1949, 789 § 5; 1955, 730 § 43.)

SECT. 2, first sentence revised, 1941, 596 § 5.

SECT. 5 revised, 1946, 591 § 9.

Chapter 12. — Department of the Attorney General, and the District Attorneys.

SECT. 1 amended, 1946, 591 § 10; revised, 1949, 789 § 4; second sentence revised, 1955, 730 § 8. (See 1949, 789 § 5; 1955, 730 § 43.)

SECT. 2 amended, 1934, 133 § 1; revised, 1941, 647 § 2; 1959, 297 § 1. (See 1934, 133 § 2.)

SECT. 2A added, 1959, 297 § 2 (providing for the first assistant attorney general to serve during certain vacancies in the office of the attorney general).

SECT. 3, last sentence amended, 1932, 180 § 2; section amended, 1943, 83 § 1.

SECT. 3B amended, 1933, 318 § 1; 1934, 291 § 1; first paragraph amended, 1953, 544; 1957, 633 § 1; paragraph inserted after first paragraph, 1943, 409 § 3. (See 1933, 318 § 9; 1934, 291 § 6.)

SECT. 3C added, 1947, 337 (authorizing the attorney general to settle certain claims against state officers and employees without suit being brought); second paragraph revised, 1949, 567.

SECT. 3D added, 1954, 326 (relative to indemnification or protection of certain state officers and employees in connection with actions for personal injuries); revised, 1956, 449; amended, 1957, 580; revised, 1957, 633 § 2.

SECT. 6A added, 1947, 238 (authorizing the attorney general to call conferences of district attorneys, sheriffs and police officials of cities and towns); paragraph added at end, 1954, 654.

SECTS. 8A-8I added, 1954, 529 § 1 (establishing a division of public charities).

SECT. 8E amended, 1955, 203; 1959, 59 § 1.

SECT. 11 amended, 1939, 499 § 3; 1945, 292 § 3.

SECT. 13 revised, 1948, 423 § 1. (See 1948, 423 § 7.)

SECT. 14, paragraph in lines 5 and 6 revised, 1935, 209; paragraph in lines 7 and 8 revised, 1935, 433 § 1; section revised, 1935, 458 § 1; next to last paragraph revised, 1941, 470 § 1; paragraph added at end, 1948, 239 § 1; section revised, 1948, 423 § 2; amended, 1956, 271 § 1; 1955, 678 § 1; amended, 1951, 432 § 1; 1954, 488 § 1; second paragraph revised, 1955, 582 § 1; 1957, 185 § 1. (See 1948, 423 § 7.)

SECT. 15 revised, 1935, 458 § 2; paragraph in line 8 revised, 1937, 279 § 1; section revised, 1947, 675 § 1; sixth paragraph stricken out and two paragraphs inserted, 1948, 423 § 3; section revised, 1951, 804 § 1; amended, 1954, 441; revised, 1956, 684 § 1. (See 1947, 675 § 4; 1948, 423 § 7; 1951, 804 § 4; 1956, 684 § 2.)

SECT. 16, paragraph in lines 9-11 revised, 1935, 433 § 2; section revised, 1935, 458 § 3; paragraph in lines 23 and 24 revised, 1937, 279 § 2; next to last paragraph revised, 1941, 470 § 2; section revised, 1947, 675 § 2; paragraph added at end, 1948, 239 § 2; section revised, 1948, 423 § 4; fifth paragraph revised, 1951, 432 § 2; ninth paragraph revised, 1949, 680; section revised, 1951, 804 § 2; amended, 1954, 488 § 2; second paragraph revised, 1955, 582 § 2; 1956, 271 § 2; ninth paragraph revised, 1955, 678 § 2; section revised, 1956, 686 § 1; second paragraph revised, 1957, 185 § 2; eighth paragraph revised, 1959, 500. (See 1947, 675 § 4; 1948, 423 § 7; 1951, 804 § 4; 1956, 686 § 3.)

SECT. 18 amended, 1948, 423 § 5. (See 1948, 423 § 7.)

SECT. 20 revised, 1957, 694 § 1.

SECT. 20A revised, 1947, 675 § 3; last sentence revised, 1951, 804 § 3; section revised, 1956, 686 § 2; 1957, 694 § 2. (See 1947, 675 § 4; 1951, 804 § 4; 1956, 686 § 3.)

SECT. 22 revised, 1948, 423 § 6. (See 1948, 423 § 7.)

SECT. 24 amended, 1948, 111.

SECT. 25 amended, 1937, 64 § 1.

Chapter 13. — Department of Civil Service and Registration.

SECT. 1 revised, 1939, 238 § 1. (See 1939, 238 §§ 52-55.)

SECT. 2 revised, 1939, 238 § 2; first paragraph amended, 1945, 681 § 1; second paragraph amended, 1946, 591 § 11; 1948, 580; 1950, 821 § 2; 1951, 716; 1955, 730 § 9; 1957, 699; paragraph inserted after second paragraph, 1941, 403. (See 1939, 238 §§ 52-55; 1945, 681 § 2; 1955, 730 § 43.)

SECT. 2A added, 1939, 238 § 3 (relative to the appointment and compensation of civil service commissioners); fourth sentence revised, 1941, 457; same sentence amended, 1945, 725 § 6; section revised, 1946, 591 § 12; fourth sentence revised, 1948, 575; 1950, 821 § 1; 1951, 589; 1952, 473; 1955, 730 § 10. (See 1939, 238 §§ 52-55; 1955, 730 § 43.)

SECT. 3 amended, 1932, 180 § 3; revised, 1939, 238 § 4. (See 1939, 238 §§ 52-55.)

SECT. 4 revised, 1939, 238 § 5.

SECT. 5 revised, 1939, 238 § 6.

SECT. 6 revised, 1939, 238 § 7.

SECT. 8 amended, 1934, 329; 1946, 591 § 13; 1948, 601 § 1; 1949, 787; 1952, 627 § 1; 1955, 730 § 11. (See 1948, 601 § 2; 1952, 627 § 2; 1955, 730 § 43.)

SECT. 9A added, 1945, 376 (authorizing the director of registration to make certain rules and regulations governing the conduct of examinations by the several boards of registration and examination).

SECT. 10 amended, 1932, 8; 1939, 36.

SECT. 11 amended, 1937, 379; last sentence revised, 1953, 529; 1955, 730 § 12. (See 1955, 730 § 43.)

SECT. 12 repealed, 1937, 425 § 13. (See 1937, 425 § 15.)

SECTS. 12A-12C added, under the heading "BOARD OF REGISTRATION IN CHIROPODY (PODIATRY)", 1937, 425 § 1. (See 1937, 425 §§ 14, 15.)

SECT. 12A, third sentence stricken out, 1952, 73.

SECT. 12B revised, 1950, 315.

SECT. 12C revised, 1955, 730 § 13. (See 1955, 730 § 43.)

SECTS. 13-15 and the heading before section 13 stricken out and new sections 13-15D added under heading "BOARD OF REGISTRATION IN NURSING", 1941, 620 § 2. (See 1941, 620 §§ 1, 4-12.)

SECT. 13 amended, 1953, 350 § 1.

SECT. 14A amended, 1953, 350 § 2.

SECT. 15 revised, 1955, 730 § 14. (See 1955, 730 § 43.)

SECT. 15A amended, 1952, 585 § 19; revised, 1953, 350 § 3.

SECT. 15C revised, 1955, 730 § 15. (See 1955, 730 § 43.)

SECT. 17 revised, 1934, 339 § 1.

SECT. 18 revised, 1955, 730 § 16; amended, 1958, 494 § 1. (See 1955, 730 § 43; 1958, 494 § 2.)

SECT. 20 revised, 1946, 550 § 1; 1947, 417.

SECT. 21, first sentence revised, 1955, 730 § 17. (See 1955, 730 § 43.)

SECT. 23 revised, 1952, 625 § 1; 1953, 280 § 1. (See 1952, 625 § 3; 1953, 280 § 3.)

SECT. 24 revised, 1952, 625 § 2; 1953, 280 § 2. (See 1952, 625 § 3; 1953, 280 § 3.)

SECT. 25 revised, 1941, 596 § 6; 1951, 577.

SECT. 26 amended, 1950, 192; revised, 1958, 533 § 1.

SECT. 27 revised, 1958, 533 § 2.

SECT. 28 amended, 1948, 647.

SECT. 29 and its caption stricken out and new section inserted, under the caption "BOARD OF REGISTRATION IN EMBALMING AND FUNERAL DIRECTING", 1936, 407 § 1; revised, 1954, 653 § 1; second paragraph amended, 1959, 276. (See 1936, 407 §§ 5-8; 1954, 653 §§ 4, 7.)

SECT. 30 revised, 1954, 653 § 1. (See 1954, 653 §§ 6, 7.)

SECT. 31 revised, 1936, 407 § 2; 1946, 591 § 14; 1954, 653 § 1. (See 1936, 407 §§ 5-8; 1954, 653 §§ 6, 7.)

SECT. 32 revised, 1935, 420 § 1; amended, 1939, 238 § 8; 1952, 585 § 20; first sentence revised, 1954, 238; fifth sentence revised, 1955, 730 § 18; sentence inserted before said sentence, 1958, 628 § 1. (See 1935, 420 § 2; 1955, 730 § 43; 1958, 628 § 2.)

SECT. 35, first sentence revised, 1953, 510 § 1.

SECT. 36, first sentence revised, 1945, 517 § 1; second paragraph revised, 1941, 596 § 7; third paragraph revised, 1951, 691 § 2. (See 1945, 517 § 2; 1951, 691 § 1.)

SECT. 38, first sentence revised, 1955, 730 § 19. (See 1955, 730 § 43.)

SECT. 39 amended, 1941, 385 § 1; 1947, 509 § 1. (See 1941, 385 § 2; 1947, 509 § 2.)

SECT. 40 amended, 1933, 149 § 1; two sentences added at end, 1934, 299 § 1; section revised, 1957, 676 § 1. (See 1934, 299 § 2.)

SECT. 41 amended, 1938, 337 § 1; 1946, 591 § 15; revised, 1953, 556; sentence added at end, 1957, 676 § 2. (See 1938, 337 § 2.)

SECTS. 42-44 added, under caption "BOARD OF REGISTRATION OF HAIRDRESSERS", 1935, 428 § 1. (See 1935, 428 §§ 5, 7.)

SECT. 42, two sentences inserted after first sentence, 1949, 580 § 1.

SECT. 43 amended, 1937, 385 § 1; second sentence revised, 1949, 580 § 2; sentence added at end, 1955, 154; affected, 1956, 551.

SECT. 44 amended, 1946, 591 § 16; revised, 1951, 561; 1955, 730 § 20. (See 1955, 730 § 43.)

SECTS. 44A-44D added, under caption "BOARD OF REGISTRATION OF ARCHITECTS", 1941, 696 § 1. (See 1941, 696 §§ 3, 4.)

SECT. 44D, first sentence revised, 1955, 730 § 21. (See 1955, 730 § 43.)

SECTS. 45-47 added, under caption "BOARD OF REGISTRATION OF PROFESSIONAL ENGINEERS AND OF LAND SURVEYORS", 1941, 643 § 1. (See 1941, 643 §§ 3-5.)

SECT. 45, first two sentences stricken out and four sentences inserted, 1955, 646; same four sentences revised, 1958, 584 § 1. (See 1958, 584 §§ 11-13.)

SECT. 47 amended, 1941, 722 § 1A.

SECTS. 48-50 added, under caption "BOARD OF REGISTRATION OF DISPENSING OPTICIANS", 1955, 688 § 1. (See 1955, 688 §§ 3, 4.)

SECTS. 51-53 added, 1957, 673 § 1 (establishing a board of registration of sanitarians). (See 1957, 673 §§ 4, 5.)

SECTS. 54-57 added, 1957, 726 § 1 (establishing a board of registration of real estate brokers and salesmen). (See 1957, 726 §§ 4-7.)

SECT. 54 revised, 1959, 351 § 1.

SECTS. 58-60 added, under caption, 1958, 625 § 1 (establishing a board of registration of electrologists). (See 1958, 625 §§ 4, 5.)

Chapter 14. — Department of Corporations and Taxation.

Chapter stricken out and new chapter 14 inserted, 1953, 654 § 1. (See 1953, 654 §§ 103-109.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to chapter 14, as so inserted:

SECT. 1, sentence added at end, 1954, 429.

SECT. 4, subdivision 1 of second paragraph amended, 1954, 681 § 3. (See 1954, 681 §§ 20, 22.)

SECT. 5 added, 1956, 380 § 1 (authorizing the state tax commission to provide for certain tax returns and tax calculations without fractional parts of a dollar). (See 1956, 380 § 2.)

Chapter 15. — Department of Education.

SECT. 1 revised, 1947, 652 § 1.

SECTS. 1A-1C added, 1947, 652 § 2 (establishing a board of education which shall have supervision and control of the department of education). (See 1947, 652 §§ 14, 15.)

SECT. 1B revised, 1952, 585 § 1; second sentence revised, 1955, 730 § 22. (See 1952, 585 §§ 25, 26; 1955, 730 § 43.)

SECT. 1C revised, 1952, 585 § 1. (See 1952, 585 §§ 25, 26.)

SECT. 2 amended, 1946, 591 § 18; repealed, 1947, 652 § 13.

SECT. 2A added, 1946, 531 (providing for a deputy commissioner of education, and establishing his powers and duties); repealed, 1947, 652 § 13.

SECT. 3 amended, 1941, 138; repealed, 1947, 652 § 13.

SECT. 3A added, 1943, 549 § 1 (establishing a board of collegiate authority in the department of education); revised, 1947, 652 § 3.

SECT. 4 revised, 1939, 409 § 2; last sentence revised, 1947, 344 § 2; section revised, 1947, 652 § 4; 1952, 585 § 2; third sentence revised, 1954, 514 § 1; 1955, 514; 1957, 534; section amended, 1953, 407 § 4. (See 1939, 409 §§ 1, 5; 1952, 585 §§ 25, 26; 1953, 407 §§ 7, 8.)

SECT. 5 revised, 1941, 596 § 9; 1947, 652 § 5; 1952, 585 § 3. (See 1952, 585 §§ 25, 26.)

SECT. 6 revised, 1947, 652 § 6.

SECT. 6A amended, 1938, 446 § 13; revised, 1941, 531; 1946, 552 § 1; 1947, 652 § 7; 1952, 630 § 1; 1956, 602 § 3. (See 1938, 446 § 14; 1956, 602 §§ 17-20.)

SECT. 6B added, 1941, 676 § 1 (relative to the supervisor of guidance and placement); revised, 1947, 652 § 8. (See 1941, 646; 1947, 652 § 13.)

SECT. 8, caption preceding section revised, 1952, 585 § 4; section amended, 1952, 585 § 5. (See 1952, 585 §§ 25, 26.)

SECT. 9 amended, 1952, 585 § 6. (See 1952, 585 §§ 25, 26.)

SECT. 11 revised, 1952, 585 § 7. (See 1952, 585 §§ 25, 26.)

SECT. 12 revised, 1935, 367; 1939, 409 § 3. (See 1939, 409 §§ 1, 5.)

SECT. 13A added, 1951, 676 § 1 (establishing certain bureaus in the division of the blind).

SECT. 15 revised, 1951, 676 § 2.

SECT. 15A added, 1954, 514 § 2 (establishing a division of special education for mentally retarded children); sentence added at end, 1956, 593.

SECT. 16 revised, 1945, 658 § 4. (See 1945, 658 § 11.)

SECT. 17 revised, 1945, 658 § 5. (See 1945, 658 § 11.)

SECT. 18 revised, 1945, 658 § 6. (See 1945, 658 § 11.)

SECT. 19 amended, 1942, 1 § 2; revised, 1946, 257 § 7; 1947, 344 § 3; amended, 1953, 407 § 5; 1953, 488 § 2; revised, 1957, 347 § 3. (See 1942, 1 § 9; 1953, 488 § 4.)

SECT. 20, caption preceding section changed, 1947, 344 § 4; section amended, 1947, 344 § 5.

SECT. 21, caption preceding section changed, 1946, 257 § 9; section revised, 1946, 257 § 8; amended, 1953, 488 § 3; caption preceding section changed and section revised, 1957, 347 § 4. (See 1953, 488 § 4.)

SECT. 22, caption preceding section changed, 1942, 1 § 3; section amended, 1942, 1 § 4; revised, 1954, 594 § 1. (See 1942, 1 § 9; 1954, 594 § 2.)

SECT. 24 and caption preceding said section revised, 1953, 407 § 6. (See 1953, 407 §§ 7, 8.)

SECTS. 25 and 26 added, 1957, 690 § 1 (providing for enlargement of the commonwealth scholarship program). (See 1957, 690 § 2.)

SECT. 27 added, 1958, 605 § 1 (establishing a Massachusetts board of regional community colleges and providing for the establishment of such colleges).

Chapter 16. — Department of Public Works.

SECT. 2 amended, 1946, 591 § 19; revised, 1949, 788 § 1; amended, 1950, 776 § 1; 1956, 717. (See 1949, 788 § 2; 1950, 776 § 2.)

SECT. 4 amended, 1947, 472 § 1; revised, 1955, 677. (See 1947, 472 § 2.)

SECT. 4A added, 1955, 555 (creating certain supervisory positions in the department of public works).

SECTS. 4B and 4C added, 1955, 619 (authorizing payment of certain expenses of public works building police officers injured in the performance of duty and indemnifying them for certain other expenses and damages).

SECTS. 4D and 4E added, 1956, 654 (authorizing payment of certain expenses of certain employees in the registry of motor vehicles injured in the performance of duty, and indemnifying them for certain other expenses and damages).

SECT. 5 revised, 1941, 596 § 10; two sentences added at end, 1945, 308; section revised, 1946, 234 § 1; amended, 1947, 586; third sentence revised, 1950, 708; 1955, 730 § 23; last sentence stricken out, 1958, 6 § 1. (See 1946, 234 § 2; 1955, 730 § 43.)

SECT. 5A added, 1938, 407 § 1 (establishing a division of waterways in the department of public works); amended, 1946, 591 § 20. (See 1941, 695 § 14; 1946, 528 § 5.)

SECT. 5B added, 1953, 666 § 1 (establishing a division of public beaches in the department of public works); repealed, 1958, 640 § 6. (See 1953, 666 §§ 3-5; 1958, 640 §§ 1-5.)

SECTS. 5C and 5D added, 1955, 584 § 3 (establishing an outdoor advertising division and an outdoor advertising board in the department of public works). (See 1955, 548 §§ 8-10.)

SECT. 6 amended, 1935, 418 § 1; 1939, 393 § 2; 1945, 241 § 2; revised, 1948, 201 § 1; amended, 1955, 584 § 3A. (See 1939, 393 § 5; 1945, 241 § 3; 1948, 201 § 4; 1955, 584 §§ 9, 10.)

SECT. 8 added, under caption, 1947, 472 § 3 (relative to the powers and duties of the public works building police).

SECTS. 9-11 added, under caption, 1959, 416 (establishing a mass transportation commission).

Chapter 17. — Department of Public Health.

SECT. 2 amended, 1946, 591 § 21; 1947, 658 § 1; 1950, 794; third sentence revised, 1955, 730 § 24; 1959, 570 § 1. (See 1955, 730 § 43.)

SECT. 3 revised, 1939, 233 § 1; amended, 1946, 591 § 22. (See 1939, 233 §§ 2, 3.)

SECT. 4 revised, 1941, 596 § 11; 725 § 1; sentence added at end, 1957, 482 § 1; section revised, 1958, 612 § 1; second paragraph revised, 1959, 611 § 3. (See 1941, 725 §§ 4-6; 1958, 612 § 2.)

SECT. 5 revised, 1948, 323.

SECT. 5A added, 1947, 658 § 2 (increasing the salary of the director of sanitary engineering and chief sanitary engineer in the department of public health); repealed, 1954, 564 § 1. (See 1954, 564 §§ 2, 3.)

SECT. 6 revised, 1941, 725 § 2; sentence added at end, 1957, 482 § 2. (See 1941, 725 §§ 4-6.)

SECT. 7 revised, 1941, 725 § 3. (See 1941, 725 §§ 4-6.)

SECT. 11 added, under caption, 1956, 728 (establishing a commission on hypertension).

Chapter 18. — Department of Public Welfare.

SECT. 2 amended, 1946, 591 § 23; 1950, 770; revised, 1952, 602 § 1; 1954, 646 § 2; third sentence revised, 1955, 730 § 25. (See 1952, 602 §§ 15-18; 1955, 730 § 43.)

SECT. 3 revised, 1952, 602 § 2; 1954, 646 § 3. (See 1952, 602 §§ 15-18.)

SECT. 4 revised, 1952, 602 § 3. (See 1952, 602 §§ 15-18.)

SECT. 5 revised, 1948, 310 § 23; 1952, 602 § 4. (See 1948, 310 § 31; 1952, 602 §§ 15-18.)

SECT. 7 amended, 1935, 311 § 1; revised, 1941, 596 § 12; 1952, 602 § 5; 1957, 344. (See 1952, 602 §§ 15-18.)

SECT. 8 revised, 1941, 351 § 2; 1952, 602 § 6; repealed, 1958, 613 § 2. (See 1952, 602 §§ 15-18.)

SECT. 9 revised, 1941, 596 § 13; 1952, 602 § 7. (See 1952, 602 §§ 15-18.)

SECT. 10 repealed, 1956, 436 § 2. (See 1956, 436 § 4.)

SECTS. 10A-10C added, 1952, 602 § 8 (relative to the powers and duties of the director of the administrative division of the department). (See 1952, 602 §§ 15-18.)

SECT. 11 repealed, 1945, 336 § 1.

SECT. 15 amended, 1945, 336 § 2.

SECTS. 11-16 repealed and heading preceding section 11 stricken out, 1948, 310 § 24. (See 1948, 310 § 31.)

SECTS. 17 and 18 added, under caption, 1933, 364 § 1 (establishing within the department a state board of housing).

SECT. 17 amended, 1935, 449 § 1; 1938, 485 § 1; repealed, 1948, 260 § 1. (See 1938, 485 § 2; 1948, 260 §§ 5, 6.)

SECT. 18 amended, 1935, 449 § 1A; first sentence revised, 1941, 596 § 14; repealed, 1948, 260 § 1. (See 1948, 260 §§ 5, 6.)

Chapter 19. — Department of Mental Health (former title, Department of Mental Diseases).

Title changed, 1941, 194 § 2.

SECT. 1 revised, 1938, 486 § 2; 1939, 511 § 1. (See 1938, 486 §§ 1, 21, 22; 1939, 511 § 3.)

SECT. 2 revised, 1938, 486 § 3; 1939, 511 § 2; 1946, 591 § 24; 1951, 722. (See 1938, 486 §§ 21, 22; 1939, 511 § 3.)

SECT. 3 repealed, 1938, 486 § 4.

SECT. 4 revised, 1938, 486 § 5. (See 1938, 486 §§ 21, 22.)

SECT. 4A amended, 1938, 486 § 6. (See 1938, 486 §§ 21, 22.)

SECT. 5 amended, 1935, 314 § 2, 421 § 3; 1950, 684 § 2; 1954, 469 § 3; 1956, 63 § 1; 1959, 215 § 2. (See 1935, 421 §§ 5, 6; 1950, 684 §§ 11, 12; 1954, 469 § 6; 1956, 63 § 3; 1959, 215 §§ 11, 12.)

SECT. 7 added, 1950, 764 (establishing a board of appeal in the department of public health); repealed, 1953, 477.

Chapter 20. — Department of Agriculture.

Sects. 1-6 stricken out and new sections 1-6 inserted, 1954, 674 § 1. (See 1954, 674 §§ 3-5.)

For prior changes see Table of Changes contained in Acts and Resolves of 1953.

The following references are to sections 1 to 6, as so inserted:

SECT. 2, second sentence revised, 1955, 730 § 26. (See 1955, 730 § 43.)

SECTS. 7-9 added, under caption "DIVISION OF MILK CONTROL", 1941, 691 § 1. (See 1941, 691 §§ 3-6.)

SECT. 7 revised, 1945, 497 § 1; second sentence amended, 1951, 690; section revised, 1953, 604 § 1; amended, 1954, 674 § 2; third paragraph amended, 1954, 484. (See 1945, 497 § 2; 1953, 604 §§ 6, 8.)

SECT. 8 revised, 1953, 604 § 1.

SECT. 9 revised, 1953, 604 § 1.

(For prior temporary legislation see 1934, 376; 1936, 390; 1938, 334; 1939, 413; 1941, 418 § 1; 631 § 1.)

Chapter 21. — Department of Natural Resources (former title, Department of Conservation).

Chapter stricken out and new chapter 21 inserted, 1948, 651 § 1. (See 1948, 651 §§ 2-7.)

Chapter stricken out and new chapter (with new title) inserted, 1953, 631 § 1. (See 1953, 631 §§ 2-12.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to chapter 21, as so inserted:

SECT. 1, fourth paragraph amended, 1956, 620 § 1.

SECT. 2, first sentence revised, 1956, 620 § 2.

SECT. 4B amended, 1956, 657 § 1.

SECTS. 8-15 added, under caption, 1956, 620 § 3 (establishing in the department of natural resources a water resources division). (See 1956, 620 § 4.)

Chapter 22. — Department of Public Safety.

SECT. 2 amended, 1946, 591 § 32; 1948, 517 § 1; 1949, 690; 1951, 570; second sentence revised, 1955, 730 § 27. (See 1948, 517 § 2; 1955, 730 § 43.)

SECT. 3, paragraph added at end, 1954, 650; amended, 1956, 584.

SECT. 3A added, 1955, 771 § 1 (establishing a criminal information bureau within the division of state police in the department of public safety).

SECT. 4 revised, 1946, 591 § 33; 1948, 634 § 1. (See 1948, 634 § 3.)

SECT. 4A added, 1948, 634 § 2 (providing for the appointment of a chief of inspections in the department of public safety); amended, 1951, 721. (See 1948, 634 § 3.)

SECT. 5 revised, 1953, 644; 1956, 713.

SECT. 6, third and fourth sentences revised, 1958, 486 § 2.

SECT. 7A amended, 1948, 318.

SECT. 7B added, 1945, 631 (relative to payment of compensation for injuries or death of officers or inspectors of the department of public safety performing police services).

SECT. 7C added, 1952, 595 (providing that no deductions shall be made from the salaries of state police officers for their subsistence).

SECT. 9A, sentence added at end, 1939, 503 § 4; same sentence revised, 1943, 175; last sentence of first paragraph revised, 1954, 313 § 1; 1955, 88; paragraph added at end, 1947, 407; amended, 1957, 343; paragraph added at end, 1949, 502. (See 1939, 503 § 5.)

SECT. 9B amended, 1939, 508 § 11.

SECT. 9C added, 1933, 239 (relative to the uniform of members of the state police).

SECT. 9D added, 1945, 694 (relative to time off for certain members of the division of state police); amended, 1949, 487; revised, 1954, 489 § 1. (See 1954, 489 § 2.)

SECT. 9E added, 1951, 335 (relative to training schools for local police officers).

SECT. 9F added, 1953, 474 § 1 (establishing a board of teletype-writer regulations in the department of public safety). (See 1953, 474 § 2.)

SECTS. 9G and 9H added, 1955, 552 § 1 (authorizing the department of public safety to provide police service for the Massachusetts Turnpike Authority). (See 1955, 552 § 2.)

SECT. 9I added, 1956, 548 (relative to time off for members of the detective branch of the division of state police).

SECTS. 9J and 9K added, 1959, 274 § 1 (providing for the policing of the General Edward Lawrence Logan International Airport by the state police). (See 1959, 274 § 2.)

SECT. 10, third sentence revised, 1955, 730 § 28. (See 1955, 730 § 43.)

SECT. 11 revised, 1945, 643 § 1; fourth paragraph revised, 1955, 730 § 29. (See 1945, 643 § 3; 1955, 730 § 43.)

SECT. 11A added, 1959, 439 § 1 (establishing the board of elevator appeals). (See 1959, 439 § 3.)

SECT. 12 revised, 1957, 639.

SECT. 13 added, 1943, 544 § 1 (establishing within the department of public safety, a board of standards and appeals); revised, 1945, 645 § 1; first two sentences revised, 1945, 722 § 3; 1946, 522; fourth paragraph revised, 1955, 730 § 30. (See 1943, 544 § 7; 1945, 645 §§ 5, 6; 722 § 4; 1955, 730 § 43.)

SECT. 14 added, 1945, 710 § 1 (establishing within the department of public safety a board of fire prevention regulations); fourth paragraph revised, 1955, 730 § 31. (See 1945, 710 § 18; 1955, 730 § 43.)

Chapter 23. — Department of Labor and Industries.

SECT. 2 revised, 1943, 321; 1946, 591 § 34; amended, 1950, 707; 1951, 560; second sentence revised, 1955, 730 § 32. (See 1955, 730 § 43.)

SECT. 3 amended, 1934, 331 § 1; second and third sentences revised, 1935, 479 § 1; third sentence revised, 1941, 490 § 4; 1954, 578 § 1. (See 1935, 479 § 7.)

SECT. 4 amended, 1934, 331 § 2; 1935, 479 § 2; first two sentences amended, 1939, 261 § 1; section amended, 1941, 490 § 5; first two sentences revised, 1941, 596 § 16; same two sentences revised, 1941, 707 § 1. (See 1939, 261 § 25.)

SECT. 5 amended, 1935, 479 § 3. (See 1935, 479 § 7.)

SECT. 8 amended, 1939, 261 § 2. (See 1939, 261 § 25.)

SECT. 9 revised, 1935, 60 § 1.

SECT. 9A revised, 1932, 99; repealed, 1933, 73.

SECT. 9B repealed, 1933, 73.

SECT. 9C revised, 1932, 187; repealed, 1933, 73.

SECT. 9D repealed, 1939, 261 § 3.

SECT. 9E amended, 1941, 490 § 6.

SECT. 9G amended, 1939, 459 § 2. (See 1939, 459 § 3.)

SECT. 9H revised, 1933, 362; 1939, 261 § 4.

SECTS. 9I-9N added, 1935, 479 § 4 (establishing the Unemployment Compensation Commission, and defining its powers and duties); same sections revised and the powers and duties of the commission conferred and imposed upon the director of the division of unemployment compensation, 1939, 20 § 1; name of said division changed to division of employment security, 1941, 685 § 4. (See 1935, 479 §§ 6, 7; 1939, 20 §§ 6-9.)

SECT. 9I paragraph (a) revised, 1941, 685 § 4; 709 § 4; paragraph (b) revised, 1941, 596 § 17; 1946, 591 § 35; section revised, 1950, 792; paragraph (b) revised, 1955, 730 § 33. (See 1941, 685 § 6; 709 §§ 1-3; 1955, 730 § 43.)

SECT. 9K, first sentence revised, 1941, 709 § 5; fourth sentence (as appearing in 1939, 20 § 1) revised, 1947, 610 § 1. (See 1941, 709 §§ 1-3.)

SECT. 9L amended, 1941, 709 § 6; revised, 1956, 602 § 4. (See 1956, 602 §§ 17-20.)

SECT. 9N, paragraph (b) revised, 1941, 611 § 1; section revised, 1941, 685 § 5; paragraph (a) amended, 1947, 610 § 2; paragraph (b) amended, 1946, 591 § 36; 1949, 720; 1951, 763 § 21A. (See 1941, 611 §§ 2, 3, 685 § 6; 1951, 763 § 22.)

SECTS. 9O-9R added, under caption, 1938, 345 § 1 (incorporating the provisions of 1937, 436 relative to the labor relations commission as an addition to the general laws). (See 1938, 345 §§ 3, 4.)

SECT. 9P, first sentence revised, 1950, 709; 1955, 730 § 34; second sentence amended, 1950, 691 § 2. (See 1955, 730 § 43.)

SECTS. 10A-10C added, under caption, 1957, 778 § 1 (establishing a health, welfare and retirement trust funds board); said sections repealed, 1958, 655 § 1. (See 1957, 778 § 3; 1958, 655 § 5.)

SECTS. 10D-10F added, under caption preceding section 10A, 1958, 655 § 3. (See 1958, 655 § 5.)

SECT. 11A added, under caption, 1934, 331 § 3 (division of occupational hygiene).

SECTS. 11B-11D added, under caption, 1937, 427 (establishing the Massachusetts development and industrial commission for the promotion and development of the industrial, agricultural and recreational resources of the commonwealth).

SECT. 11C revised, 1941, 596 § 17A.

SECT. 11D, paragraph added at end, 1950, 652.

SECTS. 11B-11D repealed, 1953, 409 § 3.

SECTS. 11E-11L added, under the caption "DIVISION OF APPRENTICE TRAINING", 1941, 707 § 2. (For prior temporary legislation see 1938, 448; 1939, 471.)

SECT. 11E, sixth sentence revised, 1955, 730 § 35. (See 1955, 730 § 43.)

SECT. 11K, first paragraph amended, 1954, 681 § 4. (See 1954, 681 §§ 20, 22.)

SECTS. 11M-11O added, 1954, 578 § 2 (establishing a council on the employment of the aging).

SECT. 11M, first sentence amended, 1955, 136.

SECTS. 14-23 added, under caption, 1953, 314 § 1 (establishing a division of industrial accidents within the department of labor and industries). (See 1953, 314 §§ 7-13.)

SECT. 15, first sentence revised, 1955, 730 § 36; section revised, 1956, 683; first sentence revised, 1957, 719. (See 1955, 730 § 43.)

SECT. 16, sentence added at end, 1955, 703.

SECT. 24 added, 1956, 602 § 5 (establishing an industrial accident rehabilitation board). (See 1956, 602 § 6, 17-20.)

Chapter 23A. — Department of Commerce.

New chapter inserted, 1953, 409 § 1. (See 1953, 409 §§ 9-13.)

SECT. 2, second sentence revised, 1955, 730 § 37. (See 1955, 730 § 43.)

SECT. 4 amended, 1957, 462 § 1.

SECT. 6, clause (i) added, 1954, 643 § 3.

SECT. 7A added, 1957, 462 § 2 (relative to the women's division in the department of commerce).

Chapter 24. — Department of Industrial Accidents.

Chapter repealed, 1953, 314 § 14.

Chapter 25. — Department of Public Utilities.

SECT. 2 amended, 1946, 591 § 38; 1950, 807; sentence inserted after third sentence, 1953, 296 § 1; fifth sentence revised, 1955, 730 § 38; 1956, 727; section revised, 1958, 557 § 1; amended, 1959, 606 § 1. (See 1953, 296 § 2; 1955, 730 § 43; 1959, 606 § 3.)

SECT. 3 revised, 1949, 257.

SECT. 4 revised, 1938, 221; amended, 1959, 606 § 2; paragraph added at end, 1951, 101; same paragraph stricken out, 1955, 285 § 1. (See 1955, 285 § 2.)

SECT. 4A added, 1950, 526 (relative to the place of holding certain hearings on rates or reductions in service); revised, 1953, 327.

SECT. 5 revised, 1953, 575 § 1; third paragraph revised, 1956, 190. (See 1953, 575 § 2.)

SECT. 5A revised, 1952, 453.

SECT. 8A added, 1939, 442 § 2 (authorizing the appointment of employees for the administration and enforcement of the sale of securities law).

SECT. 9A added, 1933, 76 § 2 (providing for certain employees serving directly under the commission of the department to perform its duties relative to smoke abatement in Boston and vicinity); repealed, 1934, 352 § 2.

SECT. 10 amended, 1933, 76 § 3; 1934, 352 § 3; 1939, 442 § 3.

SECT. 10A added, 1933, 76 § 4 (providing for the apportionment of expenses incurred by the department in the performance of its duties relative to smoke abatement in Boston and vicinity); repealed, 1934, 352 § 4.

SECTS. 11 and 12 repealed, 1935, 411 § 1. (See 1935, 411 § 2.)

SECT. 12A revised, 1938, 445 § 1; repealed, 1939, 442 § 1.

SECT. 12B revised, 1932, 290 § 2; repealed, 1939, 442 § 1.

SECTS. 12C–12F repealed, 1933, 76 § 1; new sections 12C–12E added, under caption “DIVISION OF SMOKE INSPECTION”, 1934, 352 § 1; repealed, 1954, 672 § 1. (See 1954, 672 §§ 2, 5, 6.)

SECT. 12C revised, 1941, 596 § 18; repealed, 1954, 672 § 1. (See 1954, 672 §§ 2, 5, 6.)

SECT. 12F added, 1935, 405 § 1 (establishing in the department a commercial motor vehicle division, under the charge of a director thereof); phrase added at end, 1935, 477 § 2; section amended, 1939, 335 § 1; revised, 1941, 596 § 19; new sentence added at end, 1941, 653 § 1; same sentence stricken out, 1951, 664 § 8. (See 1939, 335 § 2.)

SECT. 12G added, 1936, 117 (authorizing the director of the commercial motor vehicle division in the department of public utilities to summon witnesses, administer oaths and take testimony).

Chapter 26. — Department of Banking and Insurance.

For temporary legislation providing for the liquidation of certain trust companies, see 1939, 515; 1941, 143; 1943, 122.

SECT. 2 amended, 1943, 315; 1946, 591 § 39; 1949, 786; second sentence revised, 1955, 730 § 39. (See 1955, 730 § 43.)

SECT. 3 revised, 1941, 596 § 20.

SECT. 4 revised, 1941, 596 § 21.

SECT. 5A added, 1956, 689 § 3 (establishing the small loans regulatory board). (See 1956, 689 §§ 8A, 9.)

SECT. 6 amended, 1943, 317; 1946, 591 § 40; 1951, 776; second sentence revised, 1955, 730 § 40. (See 1955, 730 § 43.)

SECT. 8A revised, 1934, 2; amended, 1935, 419; second sentence revised, 1947, 94.

SECT. 9 amended, 1947, 260 § 1.

SECT. 10, sentence added at end, 1943, 346; section amended, 1947, 260 § 2.

Chapter 27. — Department of Correction.

Sections 1-6 stricken out and new sections 1-6 inserted, 1955, 770 § 1. (See 1955, 770 §§ 114-123.)

For prior changes see Table of Changes contained in Acts and Resolves of 1954.

The following references are to sections 1 to 6 as so inserted:

SECT. 2, third sentence amended, 1956, 16 § 1; second paragraph revised, 1957, 482 § 3.

SECT. 3 revised, 1956, 731 § 1; amended, 1957, 704. (See 1956, 731 §§ 29-33.)

Chapter 28. — Metropolitan District Commission.

For legislation abolishing the metropolitan district water supply commission and transferring its functions to the metropolitan district commission, see 1947, 583.

SECT. 2 amended, 1946, 591 § 42; revised, 1949, 795.

SECT. 3 revised, 1936, 244 § 1; 1941, 596 § 23. (See 1936, 244 § 4.)

SECT. 4 amended, 1936, 244 § 2. (See 1936, 244 § 4.)

SECTS. 5 and 6 repealed, 1941, 466 § 6.

Chapter 29. — State Finance.

For temporary legislation as to emergency state financing, see 1933, 49, 104, 307, 341, 365, 367, 368; 1934, 41, 66, 313, 335; 1935, 221, 300, 380, 392, 456; 1936, 309; 1937, 338; 1938, 20, 57, 481, 501 § 3; 1939, 288, 417, 418, 496; 1941, 129; 1943, 413; 1945, 324; 1947, 206.

For legislation relative to the collection of certain taxes and other charges due the commonwealth, see 1943, 568; 1945, 325, 712; 1946, 615.

SECT. 1, paragraph added at end, 1939, 502 § 1; same paragraph revised, 1941, 509 § 2; same paragraph stricken out, 1945, 242 § 2. (See 1941, 509 § 9.)

SECT. 2 revised, 1950, 40.

SECT. 3 revised, 1939, 502 § 2; amended, 1945, 242 § 3.

SECT. 4 amended, 1939, 502 § 3; 1945, 242 § 4.

SECT. 5 revised, 1939, 502 § 4; 1941, 656 § 2; 1945, 242 § 5; 637 § 2. (See 1941, 656 § 17; 1945, 279.)

SECT. 5A amended, 1939, 502 § 5; 1945, 242 § 6.

SECT. 6 amended, 1937, 426 § 1; revised, 1939, 502 § 6; amended, 1941, 490 § 7; 656 § 3; revised, 1945, 242 § 7; fifth sentence revised, 1945, 548 § 2. (See 1937, 426 § 2; 1941, 656 § 17; 1945, 548 § 3.)

SECT. 8 revised, 1947, 312; stricken out, 1953, 612 § 7.

SECT. 8A added, 1939, 427 (relative to competitive bidding on state contracts); revised, 1941, 547 § 1; first sentence amended, 1951, 401.

SECT. 9A revised, 1939, 502 § 7; amended, 1941, 656 § 4; 1945, 242 § 8. (See 1941, 656 § 17.)

SECT. 9B added, 1941, 564 § 1 (providing for the allotment of certain appropriations by the governor). (See 1941, 564 § 2.)

SECT. 10 amended, 1936, 256; revised, 1939, 502 § 8; 1941, 656 § 5; amended, 1945, 242 § 9; repealed, 1945, 637 § 3. (See 1941, 656 § 17; 1945, 279.)

SECT. 11 amended, 1939, 502 § 9; 1941, 656 § 6; repealed, 1945, 242 § 10. (See 1941, 656 § 17.)

SECT. 12 amended, 1939, 502 § 10; revised, 1945, 242 § 11; 637 § 4; 1950, 41. (See 1945, 279.)

SECT. 13 revised, 1950, 42.

SECT. 14 revised, 1939, 502 § 11; 1945, 242 § 12; 1950, 43.

SECT. 18, last sentence revised, 1945, 248 § 3; amended, 1953, 263 § 2. (See 1945, 248 §§ 4, 5; 1953, 263 § 3.)

SECT. 20 revised, 1950, 44.

SECT. 20A added, 1937, 407 (relative to public inspection of certain orders and claims, in advance of approval or rejection thereof, in connection with state contracts).

SECT. 25 amended, 1941, 656 § 7. (See 1941, 656 § 17.)

SECT. 26 revised, 1939, 502 § 12; amended, 1941, 656 § 8; 1945, 242 § 13; revised, 1947, 636 § 1. (See 1941, 656 § 17.)

SECT. 27 amended, 1937, 359; revised, 1939, 502 § 13; amended, 1941, 656 § 9; revised, 1947, 636 § 2; 1950, 45. (See 1941, 656 § 17.)

SECT. 29 amended, 1939, 502 § 14; 1943, 345; revised, 1947, 636 § 3; 1950, 46.

SECT. 31, last sentence amended, 1932, 127 § 2; section amended, 1941, 508; last sentence amended, 1945, 545; section revised, 1945, 635 § 1; 1946, 580 § 1; 1949, 386; first sentence stricken out and two sentences inserted, 1959, 473 § 1. (See 1946, 580 § 3; 1947, 527; 1948, 501; 1959, 473 §§ 4, 5.)

SECT. 31A added, 1946, 520 (providing for payment of accumulated vacation allowances of state employees upon death or separation from service); amended, 1954, 680 § 4; paragraph (c) added, 1953, 521; amended, 1954, 680 § 4.

SECT. 31B added, 1946, 580 § 2 (providing that teachers in certain state institutions may be paid weekly).

SECT. 31C added, 1954, 352 § 1 (relative to the vacation time of persons holding non-teaching positions in any school or college of the commonwealth). (See 1954, 352 § 2.)

SECT. 31D added, 1959, 389 (relative to the payment of salaries, wages or other money owing by the commonwealth upon the death of officers or employees).

SECT. 32 revised, 1951, 759 § 1; amended, 1957, 531 § 2. (See 1951, 759 § 3.)

SECT. 32A added, 1951, 759 § 2 (relative to payment of unclaimed wages or salaries due from the commonwealth). (See 1951, 759 § 3.)

SECT. 34 amended, 1936, 333; 1948, 396; revised, 1953, 223; 1954, 135; sentence inserted after first sentence, 1955, 167; affected, 1946, 608 § 3.

SECT. 38, subdivision (h) added, 1934, 356; first paragraph amended, 1945, 658 § 7. (See 1945, 658 § 11.)

SECT. 47 stricken out and sections 47, 47A inserted, 1945, 637 § 5. (See 1945, 279.)

SECT. 48A added, 1937, 252 (authorizing the use of facsimile signatures of the governor on certain bonds and notes of the commonwealth); amended, 1946, 128.

SECT. 50 revised, 1939, 502 § 15; 1941, 656 § 10; 1945, 242 § 14. (See 1941, 656 § 17.)

SECT. 52 revised, 1954, 389 § 1. (See 1954, 389 § 2.)

SECT. 56 revised, 1953, 272. (See 1956, 625 § 6.)

SECT. 62 repealed, 1943, 83 § 2.

SECT. 63 added, 1937, 157 (providing for taxpayers' petitions for enforcement of certain provisions of law relative to state finance).

Chapter 30. — General Provisions Relative to State Departments, Commissions, Officers and Employees.

Provisions relative to expenses incurred for certain meals by state employees, 1933, 174 § 8; 1934, 162 § 6; 1935, 249 § 7; 1936, 304 § 7; 1937, 234 § 6; 1938, 356 § 5; 1939, 309 § 4; 1941, 419 § 4; 1943, 68 § 4; 370 § 4.

Provisions relative to the purchase of passenger automobiles, 1939, 309 § 4; 1941, 419 § 4; 1943, 68 § 4; 370 § 4.

Provisions relative to expenses incurred by state employees in the operation of motor vehicles, 1939, 309 § 5; 1941, 419 § 5; 1943, 68 § 5; 370 § 5; 1945, 404 § 5; 682 § 4; 1946, 309 § 5; 617 § 5; 1947, 219 § 5; 685 § 5.

For legislation relative to commencement of terms of certain state officers, see 1939, 304.

SECT. 7 revised, 1937, 414 § 1; amended, 1941, 512; 1947, 376.

SECT. 9A added, 1946, 269 (regulating the separation from the service of the commonwealth of certain war veterans holding unclassified offices or positions); revised, 1947, 242.

SECT. 9B added, 1946, 524 (protecting certain officers and employees of the commonwealth against arbitrary removal); revised, 1950, 717; 1955, 643 § 5. (See 1955, 643 § 12.)

SECT. 9C added, 1956, 537 § 1 (providing indemnity to certain employees of the department of mental health or public health for clothing or other property damaged or destroyed by patients in certain institutions). (See 1956, 537 § 2.)

SECT. 9D added, 1958, 538 § 1 (providing tenure for certain teachers in the employ of the commonwealth after three years' service).

SECT. 13 revised, 1951, 409.

SECT. 23A added, 1952, 142 (relative to the appointment of trustees of state institutions to certain offices or positions therein).

SECT. 24 revised, 1937, 430; 1945, 508; 1946, 408; amended, 1954, 680 § 5; revised, 1955, 643 § 8. (See 1955, 643 § 12.)

SECT. 24A added, 1945, 565 (relative to compensation for state employees who are required to work on state-wide legal holidays); amended, 1946, 411; revised, 1948, 498; amended, 1953, 400.

SECT. 24B added, 1957, 753 § 1 (relative to the method of filling certain vacancies in the state service).

SECT. 25A added, 1956, 612 (providing for the return of the body of a deceased state officer or member of a department who dies while away from home on state business).

SECT. 26 repealed, 1948, 255.

SECT. 28 revised, 1941, 656 § 11. (See 1941, 656 § 17.)

SECT. 30A amended, 1945, 580 § 5.

SECT. 32 revised, 1939, 499 § 4; 1945, 292 § 4; first sentence revised, 1950, 488.

SECT. 32A added, 1939, 499 § 4A (relative to the force and effect of rules and regulations included in annual reports); repealed, 1945, 292 § 5.

SECT. 33 revised, 1939, 499 § 5; 1945, 292 § 6; amended, 1948, 67.

SECT. 33A amended, 1939, 499 § 6; 1945, 292 § 7.

SECT. 35 amended, 1945, 580 § 6. (See 1945, 580 § 9.)

SECT. 36 revised, 1948, 584 § 1.

SECT. 37 revised, 1951, 556 § 1. (See 1951, 556 § 2.)

SECT. 37A added, 1951, 576 (providing for public hearings prior to issuance of rules and regulations containing penalties); repealed, 1954, 681 § 2. (See 1954, 681 §§ 20, 22.)

SECT. 38, paragraph added at end, 1954, 680 § 6.

SECT. 39 revised, 1934, 351; amended, 1935, 217 § 1; revised, 1935, 472 § 1; amended, 1955, 702 § 1; stricken out, 1957, 682 § 2. (See 1955, 702 § 3; 1957, 682 § 3.)

SECTS. 39A-39E added, 1951, 694 (requiring security for certain motor truck carriers performing work under contract with the commonwealth or any political subdivision thereof).

SECT. 39F added, 1954, 609 (providing a method of payment to certain subcontractors on contracts for the construction, reconstruction, altering, remodeling and repair of certain public works by the commonwealth or any political subdivision thereof); revised, 1955, 701; 1956, 677 § 1. (See 1956, 677 § 2.)

SECT. 39G added, 1955, 597 (to expedite the payments of sums due to contractors after completion of certain public works contracts); fourth sentence amended, 1955, 702 § 1A; first two paragraphs revised, 1956, 499; third paragraph amended, 1957, 360.

SECT. 39H added, 1958, 681 (providing that the commonwealth shall agree to indemnify contractors for certain damages sustained by them in connection with the construction of public ways).

SECT. 42 revised, 1936, 359; amended, 1941, 450 § 1; 1948, 21; revised, 1951, 397; first sentence amended, 1957, 477.

SECT. 44B added, 1941, 678 § 1 (relative to pipe lines for conveying petroleum and its products and by-products).

SECT. 45, first sentence amended, 1947, 678 § 1; section revised, 1948, 311 § 1; 1954, 680 § 9; paragraph (1) amended, 1957, 648 § 1; paragraph (3) amended, 1956, 729 § 1; paragraph (4) revised, 1956, 729 § 2; para-

graph (5) revised, 1956, 729 § 3; paragraph (6) amended, 1955, 643 § 2; paragraph 7(A) added, 1959, 474; paragraph (9) added, 1956, 729 § 4; amended, 1957, 648 § 2. (See 1948, 311 §§ 4, 5; 1955, 643 § 12; 1956, 729 §§ 15-21; 1957, 753 § 2, 648 § 3.)

SECT. 46 revised, 1947, 613 § 1; 1948, 311 § 2; salary schedules revised, 1949, 785 § 1; 1951, 715 §§ 1, 2; 1954, 407 § 1; 1959, 620 § 1; paragraph (1) revised, 1954, 680 § 10; paragraph (1) and salary schedule revised, 1956, 729 § 5; paragraph (1A) inserted, 1950, 726; paragraph (1B) inserted, 1951, 621; paragraph (2) revised, 1952, 421 § 1; 1954, 407 § 2; 1956, 729 § 6; 1959, 473 § 2; paragraph (3) revised, 1956, 729 § 7; 1959, 473 § 3; paragraph (4) revised, 1955, 643 § 1; amended, 1956, 729 § 8; paragraph (5) revised, 1954, 680 § 11; 1956, 729 § 9; paragraph (5A) added, 1956, 729 § 9; paragraph (6) amended, 1949, 406 § 1; revised, 1954, 680 § 12; amended, 1956, 729 § 10; paragraph (7) amended, 1955, 643 § 3; revised, 1956, 729 § 11; paragraph (8) revised, 1949, 406 § 2; amended, 1956, 729 § 12; 1954, 680 § 13; paragraph (11) inserted, 1956, 729 § 13. (See 1947, 613 §§ 2, 3; 1948, 311 §§ 4, 5; 1949, 406 §§ 3-6; 1951, 715 §§ 3-5; 1952, 421 § 2; 1954, 407 §§ 3, 4; 1955, 643 § 12; 1956, 729 §§ 15-21; 1957, 753 § 2; 1959, 473 §§ 4, 5, 620 §§ 2-5.)

SECT. 46A added, 1954, 680 § 14 (relative to the allocation or reallocation of certain offices or positions in the state classified system); repealed, 1956, 729 § 14. (See 1956, 729 §§ 15-21.)

SECT. 47, last sentence revised, 1941, 656 § 12; same sentence stricken out, 1945, 637 § 6; section revised, 1948, 311 § 3; 1955, 643 § 4. (See 1941, 656, § 17; 1945, 279; 1948, 311 §§ 4, 5; 1949, 406 § 3; 1955, 643 § 12.)

SECT. 48 amended, 1954, 680 § 15.

SECT. 49 amended, 1954, 680 § 16.

SECTS. 53-57 added, under caption, 1945, 485 (providing for the prompt disposition of certain grievances of state employees relating to their employment); sections 53-57 revised, 1958, 615 § 1. (See 1958, 615 § 2.)

SECT. 58 added, 1955, 602 (regulating the payment of compensation to state employees injured in the service of the commonwealth).

Chapter 30A. — State Administrative Procedure.

New chapter inserted, 1954, 681 § 1. (See 1954, 681 §§ 20-22.)

SECT. 1, paragraph (2) revised, 1959, 511.

SECT. 11A added, 1958, 626 § 2 (providing that meetings of state boards and commissions be open to the public).

SECT. 14, clause (1) amended, 1957, 193 § 1.

Chapter 31. — Civil Service.

For temporary legislation protecting the civil service rights of certain persons in the military or naval service of the United States, see 1941 708; 1943, 172, 338, 548; 1945, 610; 1946, 61, 62, 238, 271 §§ 1-4; 1947, 4, 11, 14, 71, 203, 367; 1948, 447; 1949, 169; 1954, 627, 688; 1955, 205, 507, 708 §§ 1, 2.

For temporary legislation relative to transfers of civil service employees during the present emergency, see 1943, 492.

For temporary legislation making certain veterans eligible to take civil service examinations notwithstanding any age requirements, see 1945, 440 § 1; 1950, 179.

For legislation protecting the civil service rights of certain employees who are veterans attending school or "on-the-job" training under the G. I. Bill of Rights, see 1948, 228.

For legislation relative to promotional examinations for principal interviewer in the division of employment security, see 1948, 263.

For legislation subjecting certain employees of the division of employment security to the civil service laws, see 1949, 773; 1950, 461, 704.

For legislation reclassifying members of fire departments by changing the title of fireman to fire fighter, see 1952, 45.

SECT. 1, definitions contained in fourth to eighth lines revised, 1939, 238 § 9; revised, 1945, 703 § 1; definitions of "appointing authority" or "appointing officer" revised, 1953, 153. (See 1939, 238 §§ 52-55.)

SECT. 2 revised, 1939, 238 § 10; 1945, 725 § 1.

SECT. 2A added, 1939, 238 § 11 (relative to the duties of the director of civil service); clause (b) revised, 1939, 506 § 1; clause (c) revised, 1941, 402 § 2; clause (c) amended, 1941, 721; section revised, 1945, 725 § 2; paragraph (b) revised, 1951, 302; two sentences added at end, 1953, 286 § 1; sentence added at end, 1954, 295 § 1; paragraph (d) amended, 1954, 680 § 17. (See 1939, 238 §§ 52-55; 1953, 286 § 2.)

SECT. 3, clause (g) added, 1937, 223 (giving preference to blind persons in the employment of typists in certain cases by state departments, boards and commissions); section amended, 1939, 238 § 12; revised, 1939, 498 § 1; clause (a) revised, 1941, 190; section revised, 1945, 702; clause (a) revised, 1955, 643 § 10. (See 1939, 238 §§ 51-55; 1955, 643 § 12.)

SECT. 4, fourth paragraph amended, 1938, 72; paragraph in line 19 stricken out and new paragraph inserted, 1941, 49; sixth paragraph revised, 1932, 282 § 1; section amended, 1939, 238 § 13; paragraph added at end, 1939, 256 § 1; paragraphs added at end by 1941, 625 § 1, 1941, 627 § 1 and 1941, 686 § 2, respectively; paragraphs added at end by 1943, 246 § 1 and 1943, 402 § 1, respectively; section revised, 1945, 701 § 4; paragraph in line 12 revised, 1959, 320 § 1; paragraph in line 15 revised, 1957, 142; paragraph in line 19 revised, 1959, 320 § 2; paragraph in line 22 revised, 1949, 397; 1956, 294; 1958, 583 § 1; paragraph added at end, 1949, 765 § 1; same paragraph stricken out, 1958, 583 § 2; paragraph added at end, 1949, 779 § 1; 1956, 438 § 1; 652 § 1. (See 1932, 282 § 4; 1943, 246 § 2; 402 § 2; 1949, 765 § 2; 779 § 2; 1956, 438 § 2; 652 § 2.)

SECT. 5 amended, 1935, 405 § 2; 1936, 244 § 3; 1939, 238 § 14; revised, 1941, 402 § 3; amended, 1945, 355; 701 § 4A; 1948, 387 § 2; 1950, 397; 1951, 26; amended, 1954, 298. (See 1948, 387 § 1.)

SECT. 5A added, 1937, 414 § 2 (relative to the employment by certain municipal officers of persons to serve in a confidential capacity).

SECT. 6, first sentence revised, 1949, 430; sentence added at end, 1932, 260; same sentence amended, 1939, 238 § 15.

SECT. 6A added, 1935, 228 (dispensing with educational requirements as a condition of taking certain civil service examinations).

SECT. 7 revised, 1939, 397.

SECT. 8 amended, 1939, 238 § 16; revised, 1939, 396; 1945, 703 § 3; second paragraph revised, 1959, 318.

SECT. 10 revised, 1939, 238 § 17; 1939, 498 § 2; last sentence stricken out and five sentences inserted, 1945, 703 § 4.

SECT. 11 amended, 1959, 27.

SECT. 12 amended, 1939, 238 § 18; revised, 1945, 704 § 1; first paragraph amended, 1954, 627 § 2; amended, 1946, 271 § 5; paragraph added at end, 1948, 121 § 1; same paragraph amended, 1951, 27; section revised, 1955, 571. (See 1948, 121 § 2; 1954, 627 §§ 65, 67.)

SECT. 12A added, 1945, 704 § 2 (providing procedure for reviewing markings on civil service examination papers); revised, 1948, 297.

SECT. 12B added, 1957, 401 (providing that applicants for the position of wire inspector must hold a master or journeyman electrician's license before being certified for such position).

SECT. 13 amended, 1938, 174 § 2; revised, 1945, 703 § 5; sentence added at end, 1952, 214.

SECT. 13A amended, 1939, 238 § 19; revised, 1945, 725 § 3.

SECT. 14 amended, 1939, 238 § 20; repealed, 1945, 725 § 5.

SECT. 15 revised, 1939, 238 § 21; 1939, 506 § 2; 1941, 491; second paragraph revised, 1945, 704 § 3; last paragraph stricken out and three paragraphs inserted, 1945, 704 § 4; section revised, 1946, 103; first paragraph revised, 1951, 41 § 1; second paragraph revised, 1957, 46; fourth paragraph revised, 1951, 41 § 2; fifth paragraph revised, 1954, 376; paragraph A amended, 1948, 489; revised, 1952, 317 § 1; 1954, 267; paragraph B revised, 1952, 317 § 2; paragraph C amended, 1955, 643 § 9; paragraph added at end, 1947, 13. (See 1955, 643 § 12.)

SECT. 15A added, 1933, 267 (restricting the appointment of persons for temporary employment under the civil service laws); amended, 1934, 105; repealed, 1943, 523.

SECT. 15B added, 1943, 520 (authorizing certain promotions from the labor service to the official service of a department, board or commission under the civil service laws); amended, 1946, 52; revised, 1952, 313; 1953, 459; amended, 1958, 51.

SECTS. 15C and 15D added, 1945, 704 § 5 (requiring lists of civil service officers and employees to be filed annually with the director of civil service and establishing the method of determining seniority).

SECT. 15C amended, 1946, 53; paragraph inserted after first paragraph, 1950, 385; section revised, 1953, 195.

SECT. 15D, paragraph 1 amended, 1952, 447 § 1; 1955, 40; paragraph 2 revised, 1947, 426; definition of "Absence" revised, 1949, 167. (See 1952, 447 § 2.)

SECT. 15E added, 1946, 540 (providing that injuries received by persons employed in a provisional capacity shall not disqualify them for permanent employment under the civil service laws).

SECT. 15F added, 1951, 157 (relative to provisional promotions under civil service laws and probationary periods served therein); revised, 1958, 529.

SECT. 16A added, 1939, 506 § 3 (relative to transfers under the civil service laws); revised, 1945, 703 § 6; 1958, 55.

SECT. 17 amended, 1934, 94; revised, 1939, 76; amended, 1939, 238 § 22.

SECT. 18 amended, 1939, 238 § 23; revised, 1945, 703 § 9; amended, 1947, 22.

SECT. 18A added, 1941, 627 § 4 (positions in the labor service of the department of public works to be classified by districts); sentence added at end, 1945, 389.

SECT. 19A added, 1932, 146 (relative to appointments to the regular fire forces in certain cities having reserve fire forces); amended, 1939, 238 § 24; revised, 1941, 38; amended, 1943, 530; revised, 1949, 55.

SECT. 19B added, 1949, 288 (relative to appointments of intermittent firemen to the regular force in cities and towns).

SECT. 20 amended, 1939, 238 § 25; revised, 1939, 419 § 3; 1945, 704 § 6; 1947, 354 § 1; first paragraph amended, 1959, 115; paragraph added at end, 1951, 279. (See 1947, 354 § 2.)

SECT. 20A amended, 1939, 238 § 26; revised, 1941, 39; 1952, 167 § 1; 1953, 255 § 1; amended, 1954, 136 § 1. (See 1952, 167 § 3; 1953, 255 § 2.)

SECT. 20B added, 1937, 416 § 3 (providing for appointments to the regular police force of the metropolitan district commission from the list of members of the reserve police force); amended, 1939, 238 § 27; repealed, 1939, 441 § 2. (See 1937, 416 § 5; repealed, 1939, 441 § 3.)

SECT. 20C added, 1941, 621 (relative to appointments to the regular police force in certain cities and towns); revised, 1952, 167 § 2; amended, 1954, 136 § 2. (See 1952, 167 § 3.)

SECT. 20D added, 1945, 703 § 2 (relative to the serving of probationary periods in offices and positions subject to civil service).

SECT. 21 amended, 1932, 89; revised, 1933, 137; amended, 1939, 238 § 28; 1943, 194, 469; 1946, 216; 1950, 289 § 1; revised, 1951, 663; 1954, 627 § 3; amended, 1956, 249; next to last paragraph revised, 1956, 248. (See 1950, 289 § 2; 1954, 627 §§ 65, 67.)

SECT. 21A added, 1954, 688 § 1 (further defining the word "veteran" as used in certain laws); amended, 1956, 702.

SECT. 22 amended, 1939, 238 § 29; first sentence revised, 1954, 627 § 4; paragraph added at end, 1946, 345. (See 1954, 627 §§ 65, 67.)

SECT. 22A added, 1946, 221 (making certain veterans eligible for examinations and appointment to police and fire departments notwithstanding certain age requirements); revised, 1947, 287.

SECT. 23 amended, 1939, 238 § 30; sentence added at end, 1949, 642 § 1; section revised, 1954, 627 § 5. (See 1954, 627 §§ 65, 67.)

SECT. 23A added, 1954, 627 § 6 (defining "Disabled Veteran"); revised, 1956, 430 § 1; first paragraph amended, 1958, 69 § 1. (See 1954, 627 §§ 65, 67; 1956, 430 § 2; 1958, 69 § 2.)

SECT. 23B added, 1954, 627 § 6 (providing for preference in civil service appointments for widows and widowed mothers of certain veterans); revised, 1956, 430 § 1. (See 1954, 627 §§ 65, 67; 1956, 430 § 2; 1958, 69 § 2.)

SECT. 24 amended, 1939, 238 § 31; sentence added at end, 1949, 642 § 2; same sentence revised, 1956, 247.

SECT. 25 amended, 1939, 238 § 32; 1946, 145; revised, 1948, 407.

SECT. 29 amended, 1939, 238 § 33; revised, 1945, 725 § 4; amended, 1948, 138.

SECT. 30 amended, 1939, 238 § 34; repealed, 1945, 725 § 5.

SECT. 31 amended, 1939, 238 § 35; revised, 1939, 422 § 1; first paragraph amended, 1959, 319.

SECT. 31A added, 1939, 422 § 2 (relative to the making of reports by department heads pertaining to civil service employees).

SECT. 31B added, 1941, 165 § 1 (relative to the preparation and keeping of rosters of positions in the classified civil service and incumbents thereof in connection with the payment of salaries or compensation). (See 1941, 165 § 2.)

SECT. 32 amended, 1939, 238 § 36; revised, 1939, 420 § 1.

SECT. 32A added, 1939, 420 § 2 (providing that records and files relating to civil service employees be public records); repealed, 1945, 703 § 10.

SECT. 33 amended, 1939, 238 § 37; revised, 1939, 420 § 3.

SECT. 34 amended, 1939, 238 § 38; revised, 1939, 420 § 4.

SECT. 35 repealed, 1941, 559.

SECT. 36 amended, 1939, 238 § 39; revised, 1945, 701 § 1.

SECT. 37 amended, 1939, 238 § 40.

SECT. 38 amended, 1939, 238 § 41; revised, 1939, 422 § 3.

SECT. 39 amended, 1939, 238 § 42.

SECT. 40 amended, 1939, 238 § 43; repealed, 1945, 703 § 10.

SECT. 42 amended, 1939, 238 § 44.

SECT. 42A repealed, 1945, 667 § 4.

SECT. 42B repealed, 1945, 667 § 4.

SECT. 43 revised, 1945, 667 § 1; paragraph (f) revised, 1946, 379; section revised, 1947, 373 § 1; paragraph (a) amended, 1949, 170 § 1; second sentence revised, 1949, 429 § 1; paragraph (a) revised, 1957, 432; 1959, 569 § 1; paragraphs (b) and (c) revised, 1948, 240; paragraph (d) amended, 1955, 407 § 1; paragraph (c), first sentence revised, 1949, 429 § 2; paragraph (e) revised, 1956, 629 § 1; 1959, 569 § 2; paragraph (g) added, 1956, 629 § 2; revised, 1959, 569 § 3; paragraph (h) added, 1957, 569; revised, 1959, 569 § 4. (See 1955, 407 § 3; 1956, 629 § 3.)

SECT. 45 amended, 1934, 249 § 2; revised, 1945, 667 § 2; amended, 1955, 407 § 2. (See 1955, 407 § 3.)

SECT. 45A added, 1934, 190 (providing a method of avoiding multiplicity of petitions for judicial review to determine seniority rights in the classified labor service); amended, 1941, 166.

SECT. 45B added, 1941, 135 (requiring clerks of district courts to furnish certain information to the director of civil service); amended, 1945, 667 § 3.

SECT. 46 amended, 1932, 282 § 2; revised, 1934, 249 § 1; amended, 1941, 257; repealed, 1945, 667 § 4.

SECT. 46A revised, 1959, 569 § 5.

SECT. 46B amended, 1939, 238 § 45; repealed, 1945, 667 § 4.

SECTS. 46C and 46D added, 1933, 320 (providing for the reinstatement of certain municipal officers and employees).

SECT. 46C amended, 1934, 84; 1936, 66; revised, 1938, 297 § 1; amended, 1939, 238 § 46; revised, 1945, 704 § 8; amended, 1947, 373 § 2.

SECT. 46D repealed, 1945, 704 § 7.

SECT. 46E added, 1934, 207 (providing that a leave of absence of less than six months shall not be deemed a separation from the classified civil service in certain cases); first paragraph revised, 1945, 703 § 7; amended, 1951, 37; paragraph added at end, 1936, 297; same paragraph amended, 1939, 238 § 47; 1941, 136.

SECT. 46F added, 1935, 337 (providing for the reinstatement of members of the police force of the metropolitan district commission in certain cases); amended, 1939, 238 § 48; repealed, 1945, 704 § 7.

SECT. 46G added, 1935, 408 (relative to seniority rights in respect to the suspension and re-employment of persons in the classified civil service in certain cases); revised, 1938, 297 § 2; 1945, 704 § 9; amended, 1949, 170 § 2.

SECT. 46H added, 1936, 287 § 1 (providing for the reinstatement in the classified civil service of retired municipal officers and employees in certain cases of invalid retirement); amended, 1939, 238 § 49.

SECT. 46I added, 1945, 703 § 8 (providing for the establishment of re-employment lists of persons separated from the official or labor service otherwise than by resignation or discharge); amended, 1946, 60; revised, 1947, 12; paragraph added at end, 1951, 420.

SECT. 46J added, 1946, 288 (relative to the right of civil service employees to petition the general court and to appear before committees thereof).

SECT. 46K added, 1952, 138 (authorizing civil service employees to petition their municipal government and to appear before committees thereof).

SECT. 47 revised, 1945, 701 § 2; caption preceding section changed, 1957, 29.

SECT. 47A added, 1941, 195 (providing that certain employees in the classified public service shall not be subject to a probationary period); revised, 1945, 701 § 3; second paragraph amended, 1946, 59; first two paragraphs revised, 1948, 278; paragraph added at end, 1950, 376 § 1. (See 1950, 376 § 2.)

SECT. 47B added, 1941, 290 (relative to the classification and establishment of seniority of certain civil service employees); revised, 1945, 701 § 5; paragraph inserted after first paragraph, 1956, 49.

SECTS. 47C and 47D added, 1941, 402 § 1 (establishing a merit system, substantially similar to the civil service system, for certain officers and employees of local boards of public welfare). (See 1941, 402 §§ 4-9.)

SECT. 47C, paragraph (1) revised, 1941, 588 § 1; 1950, 793 § 1; 1951, 741 § 3. (See 1941, 588 § 3; 1950, 793 § 2.)

SECT. 47E added, 1951, 537 (providing annual step-rate increases for municipal public welfare employees).

SECT. 48 revised, 1945, 701 § 6; first paragraph amended, 1953, 306; 1954, 90; paragraph added at end, 1947, 239.

SECT. 49 repealed, 1945, 701 § 7.

SECT. 49A added, 1939, 183 (authorizing cities and towns to place certain offices under the civil service laws by vote of the voters thereof); revised, 1941, 414; 1945, 701 § 8.

Chapter 32. — Retirement Systems and Pensions.

For temporary legislation providing for the return of certain moneys paid into the state retirement fund by certain former members of the general court, see 1954, 615.

For temporary legislation relative to make-up payments in the annuity savings fund by surviving beneficiaries of certain former constitutional officers or members of the general court, see 1956, 335.

For temporary legislation protecting the retirement rights of certain persons in the military or naval service of the United States, see 1941,

708; 1943, 172, 419, 548; 1945, 455, 610, 699; 1947, 4, 11, 14, 203, 367; 1954, 627, 688; 1955, 708 §§ 1, 2.

For legislation relative to the temporary re-employment of former officers and employees of the commonwealth or of any political sub-division thereof during the continuance of the existing state of war between the United States and any foreign country, see 1942, 16; 1943, 502; 1946, 55, 306.

For temporary legislation authorizing the employment of certain nurses who have been retired, see 1955, 553.

For legislation relative to the retirement of assistant attorneys general, see 1948, 659.

For legislation relative to the retirement of county commissioners, see 1948, 662.

For legislation relative to increasing the amounts of pensions and retirement allowances payable to certain former public employees, see 1950, 820; 1951, 781; 1952, 624; 1953, 471, 472; 1955, 670; 1956, 415, 605.

For legislation to restore the pension rights to members of the general court and the constitutional officers, see 1955, 554; 1956, 386.

Sects. 1-38A, as amended, stricken out and twenty-eight new sections, 1-28, inserted, 1945, 658 § 1. (See 1945, 658 §§ 9-11.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to sections 1 to 28 as so inserted:

SECT. 1, definition of "Beneficiary" revised, 1949, 618 § 1; definition of "District" amended, 1953, 583 § 1; 1956, 306 § 1; definition of "Employee" revised, 1947, 660 § 1; 1950, 537; sentence added at end, 1950, 600 § 1; definition of "Employee" revised, 1951, 543 § 1; amended, 1952, 185; 1956, 306 § 2; definition of "Governmental Unit" revised, 1947, 667 § 1; definition of "Maximum age" revised, 1958, 321 § 1; definition of "Political subdivision" revised, 1948, 507 § 1; definition of "Regular compensation" revised, 1948, 606; sentence added at end, 1952, 423 § 1; revised, 1957, 516 § 2; next to last sentence revised, 1952, 515 § 2; definition of "Teacher" amended, 1951, 543 § 2; revised, 1952, 434 § 1; 1957, 516 § 1; definition of "Veteran" amended, 1950, 710; sentence added at end, 1951, 526 § 1; revised, 1954, 627 § 7; amended, 1954, 688 § 2. (See 1950, 600 § 3; 1951, 543 § 3; 1952, 423 § 2; 1954, 627 §§ 65, 67; 1957, 516 § 4.)

SECT. 2 amended, 1956, 306 § 3.

SECT. 3, subdivision (2), paragraph (a), clause (iv) revised, 1951, 644 § 1; 1956, 609 § 1; amended, 1958, 321 § 2; revised, 1959, 381; clause (v) revised, 1951, 644 § 1; clause (vi) revised, 1947, 660 § 2; 1951, 644 § 1; clause (x) added, 1950, 600 § 2; clause (xi) added, 1952, 515 § 1; paragraph (b) revised, 1947, 660 § 2; paragraph (d) revised, 1947, 660 § 2; amended, 1947, 667 § 2; 1958, 578 § 1; (see 1958, 578 § 2); paragraph (f) revised, 1951, 644 § 2; 1956, 609 § 2; (see 1957, 664); definition of *Group B* in paragraph (g), amended, 1946, 503 § 1; revised, 1947, 423; amended, 1947, 667 § 3; 1949, 746 § 1; revised, 1950, 728; amended, 1952, 157; revised, 1954, 445 § 1; amended, 1957, 255; revised, 1957, 630 § 1; paragraph (g) revised, 1958, 321 § 3; definition of *Group 2* revised, 1958, 550; amended, 1958, 589 § 1; subdivision (3), first sentence

stricken out and two sentences inserted, 1947, 388 § 1; first sentence revised, 1949, 578 § 1 (see 1949, 578 § 1); subdivision revised, 1952, 428 § 1; 1954, 684 § 1; 1955, 695 § 1; subdivision (3A) added, 1946, 538 § 1; subdivision (4) revised, 1946, 403 § 2, 492; first sentence amended, 1947, 416; subdivision revised, 1951, 505 § 1; amended, 1954, 684 § 2; 1955, 695 § 3; subdivision (5) amended, 1946, 481; revised, 1946, 603 § 1; paragraph (a) added, 1947, 660 § 4; subdivision revised, 1947, 667 § 4; first sentence revised, 1952, 524 § 1; amended, 1954, 684 § 3; subdivision revised, 1955, 695 § 2; subdivision (6), paragraph (d) revised, 1946, 403 § 3; amended, 1952, 524 § 2; 1954, 684 § 4; revised, 1955, 695 § 4; amended, 1956, 418 § 1; paragraph (c) amended, 1947, 388 § 2; 1958, 359 § 1 (see 1958, 359 § 2); paragraph (f) amended, 1948, 393; revised, 1955, 560; affected, 1956, 414; subdivision (8) paragraph (b) amended, 1952, 524 § 3; 1954, 684 § 5; revised, 1955, 695 § 5; amended, 1956, 418 § 2; paragraph (c) amended, 1947, 388 § 3. (See 1950, 600 § 3; 1950, 715; 1951, 644 § 3, 790, 505 § 2; 1952, 423 § 2, 428 § 2; 1954, 445 § 2; 1954, 684 § 8; 1955, 695 § 7.)

SECT. 4, subdivision (1), paragraph (a) amended, 1947, 660 § 3; paragraph (h) revised, 1954, 627 § 8; amended, 1959, 576 § 1A; paragraph (i) added, 1946, 493 § 1; paragraph (j) added, 1946, 538 § 2; paragraph (k) added, 1959, 548 § 1; subdivision (2), paragraph (b) revised, 1946, 403 § 4; paragraph (c) revised, 1946, 403 § 5; amended, 1952, 524 § 4; 1954, 684 § 6; revised, 1955, 695 § 6. (See 1946, 493 § 2; 1954, 627 §§ 65, 67; 1954, 684 § 8; 1955, 695 § 7; 1959, 548 §§ 2, 3, 576 § 2.)

SECT. 5, subdivision (1), first sentence of paragraph (a) amended, 1947, 388 § 4; 1958, 321 § 4; paragraph (c) revised, 1958, 321 § 5; paragraph (d), first two sentences stricken out, 1947, 660 § 5; same paragraph amended, 1948, 15 § 1; revised, 1953, 486; 1959, 574 § 1; paragraph (f) added, 1954, 348; subdivision (2), paragraph (a), first paragraph amended, 1947, 388 § 5; 1949, 656; revised, 1950, 809 § 1; 1951, 783 § 1; clause (i) revised, 1949, 679; clause (ii) revised, 1946, 403 § 6; amended, 1947, 388 § 6; clause (iv) added, 1946, 538 § 3; paragraph (b) amended, 1950, 809 § 1A; paragraph (f) amended, 1950, 809 § 2; paragraph (g) added, 1954, 492; stricken out, 1955, 590 § 2; subdivision (2) revised, 1957, 661 § 1; paragraph (a) amended, 1958, 321 § 6; table in paragraph (a) revised, 1958, 321 § 7; paragraph (c) amended, 1958, 321 § 8; paragraph (d) amended, 1958, 321 § 9. (See 1950, 809 § 3; 1951, 783 §§ 2, 3; 1957, 661 § 4; 1959, 574 § 2.)

SECT. 6, subdivision (1) amended, 1947, 667 § 5; 1949, 618 § 2, 657; 1958, 321 § 10; subdivision (2) amended, 1958, 321 § 11; subdivision (3), first sentence of paragraph (a), amended, 1946, 603 § 2; 1947, 388 § 7; second sentence of same paragraph amended, 1949, 618 § 3; paragraph (c) revised, 1952, 181; paragraph (d) added, 1956, 289.

SECT. 7, subdivision (1), first sentence amended, 1958, 321 § 12; three sentences added at end, 1949, 618 § 4; subdivision (2), paragraph (a) amended, 1958, 321 § 13; clause (ii) amended, 1948, 446 § 1; clause (iii) amended, 1950, 713; 1951, 545 § 1; paragraph (b) amended, 1958, 321 § 14; subdivision (3), paragraph (a) amended, 1958, 321 § 15; paragraph (b) amended, 1958, 321 § 16; subdivision (5) added, 1949, 618 § 5. (See 1948, 446 § 5.)

SECT. 8, subdivision (1), paragraph (b) amended, 1947, 667 § 6.

SECT. 9, subdivision (2), first paragraph amended, 1948, 446 § 2; paragraph (*d*) revised, 1951, 545 § 2. (See 1948, 446 § 5.)

SECT. 10, see 1949, 491 § 1; subdivisions (1) and (2) revised, 1950, 813 § 1; 1951, 784 § 1; subdivision (1) revised, 1957, 661 § 2; amended, 1958, 321 § 17; subdivision (2), paragraph (*a*) revised, 1957, 661 § 3; paragraph (*b*) amended, 1951, 809; 1958, 321 § 18. (See 1949, 491 § 2; 1951, 784 § 3; 1957, 661 § 4.)

SECT. 11, subdivision (2), paragraph (*a*) amended, 1950, 670 § 1; paragraph (*c*), first sentence revised, 1947, 667 § 7; sentence added at end, 1949, 618 § 6; subdivision (3) added, 1957, 531 § 1. (See 1950, 670 § 3.)

SECT. 12, subdivision (2), option (*c*), two sentences inserted after first sentence, 1946, 403 § 7; option (*c*), paragraph added at end, 1948, 284; option (*c*) stricken out and options (*c*) and (*d*) inserted, 1949, 618 § 7; option (*c*), last paragraph revised, 1958, 291; option (*d*) amended and sentence added at end, 1949, 808; sentence added at end, 1950, 670 § 2; 1952, 610 § 1; option (*d*) revised, 1955, 494; paragraph added at end, 1958, 614 § 1; amended, 1959, 515 § 1; revised, 1959, 617 § 1. (See 1952, 610 § 2; 1959, 515 § 3, 617 § 4.)

SECT. 12A added, 1956, 505 (providing for the payment of allowances to certain beneficiaries pending determination of claims for accidental death benefits).

SECT. 12B added, 1958, 614 § 2 (providing survivor benefits to certain eligible widows and children under the contributory retirement law); revised, 1959, 515 § 2; amended, 1959, 617 § 2. (See 1959, 515 § 3, 617 § 4.)

SECT. 12C added, 1959, 617 § 3 (providing survivor benefits to certain widows and children of certain employees who were not members of a contributory retirement system. (See 1959, 617 § 4.)

SECT. 13, subdivision (1), paragraph (*a*) revised, 1951, 379 § 1; subdivision (2), paragraphs (*a*) and (*b*) revised, 1957, 536. (See 1951, 379 § 2.)

SECT. 14, subdivision (1), paragraph (*a*), last sentence revised, 1958, 404 § 1; paragraph inserted after paragraph (*a*), 1951, 99; same paragraph revised, 1952, 484 § 1; last sentence revised, 1958, 404 § 2; subdivision (2), paragraph (*a*) revised, 1951, 542; 1958, 360; paragraph (*b*) revised, 1951, 542; 1958, 360; paragraph (*c*) revised, 1951, 542. (See 1952, 152, 484 § 2.)

SECT. 16, subdivision (1), paragraph (*b*) amended, 1958, 321 § 19; subdivision (2) revised, 1949, 746 § 2; 1951, 784 § 2; amended, 1958, 321 § 20; subdivision (3), paragraph (*a*) amended, 1958, 321 § 21; subdivision (4), sentence added at end, 1949, 618 § 8; paragraph added at end, 1956, 422 § 1; subdivision (5) amended, 1958, 321 § 22. (See 1951, 784 § 3.)

SECT. 18, subdivision (1) revised, 1947, 467; 667 § 8.

SECT. 19 revised, 1952, 599; last sentence revised, 1955, 628 § 2; section revised, 1956, 691.

SECT. 19A added, 1953, 509 § 1 (authorizing withholding of retirement allowances for payment of subscriber premiums for certain policies or contracts with non-profit hospital and medical service corporations).

SECT. 20, subdivision (2), first sentence of paragraph (*c*) revised, 1948, 508 § 1 (see 1949, 491 § 2); subdivision (3), paragraph (*d*) revised, 1946,

267; subdivision (4), paragraph (c) amended, 1950, 163; subdivision (5), paragraph (b) amended, 1956, 422 § 2; paragraph (c) revised, 1956, 609 § 3; paragraph (i) amended, 1954, 642 § 1; 1958, 408; paragraph (j) added at end, 1948, 488 § 1. (See 1948, 488 § 2; 508 § 2; 1954, 642 § 2.)

SECT. 21, subdivision (2) amended, 1946, 432 § 3.

SECT. 22, subdivision (1), paragraph (b) amended, 1947, 617; paragraph (c), sentence added at end, 1952, 434 § 2; same sentence stricken out, 1957, 516 § 3; paragraph (g), first sentence revised, 1947, 388 § 8; fourth sentence amended, 1952, 433; last sentence stricken out and two sentences inserted, 1954, 656 § 1; subdivision (4), paragraph (a), sentence added at end, 1949, 560 § 1; paragraph (c) amended, 1949, 560 § 2; revised, 1951, 407; 1952, 392; subdivision (7), paragraph (c), clause (ii) revised, 1951, 530 § 1. (See 1949, 560 § 3; 1954, 656 § 2; 1956, 409; 1957, 516 § 4.)

SECT. 23, subdivision (1), paragraph (b) amended, 1957, 533; subdivision (2), paragraph (b), clause (i) revised, 1956, 417; 1958, 407; clause (iii) revised, 1954, 126 § 1; clause (iv) inserted, 1950, 162 § 1.

SECT. 25, subdivision (1), paragraph (a) revised, 1950, 783 § 1; subdivision (3) amended, 1958, 669 § 3; subdivision (5) revised, 1956, 525. (See 1950, 783 § 2.)

SECT. 26, subdivision (1), definition of "Officer" revised, 1958, 589 § 2; subdivision (2), paragraph (a) amended, 1958, 321 § 23; paragraph (b), clause (ii) amended, 1948, 446 § 3; clause (iii) added, 1947, 412; paragraph (c) added, 1948, 446 § 4; subdivision (3), paragraph (a) amended, 1958, 321 § 24; paragraph (b) amended, 1958, 321 § 25; paragraph (c) amended, 1949, 492; 1951, 670 § 1; subdivision (4) amended, 1958, 321 § 26. (See 1948, 446 § 5.)

SECT. 28, subdivision (2), paragraph (a) revised, 1946, 166 § 1; paragraph (f) added, 1946, 166 § 2; paragraph (g) added, 1946, 403 § 8; paragraph (h) added, 1946, 603 § 3; subdivision (3), paragraph (a) revised, 1946, 166 § 3; last sentence amended, 1946, 403 § 9; subdivision (4), paragraph (a) amended, 1953, 583 § 2; 1956, 306 § 4; subdivision (5) added, 1948, 507 § 2; amended, 1957, 150 § 2, 415. (See 1953, 583 § 3.)

SECT. 28A added, 1945, 720 § 1 (relative to the retirement of certain officers in the division of state police); paragraph added at end, 1946, 373 § 1. (See 1945, 720 § 2; 1946, 373 § 2.)

SECT. 28B added, 1946, 605 (relative to the retirement of state detectives and inspectors in the division of state police); revised, 1951, 670 § 2.

SECT. 28C added, 1947, 660 § 6 (relative to the retirement of certain members of the general court and constitutional officers); repealed, 1948, 589 § 1. (See 1947, 660 § 7; 1948, 589 §§ 3, 4.)

SECT. 28C added, 1947, 667 § 9 (providing benefits to certain employees of governmental units who are prohibited from joining the contributory retirement systems thereof, in case of accidental disability or accidental death); designation changed from 28C to 28F, 1948, 589 § 4.

SECTS. 28D and 28E added, 1948, 589 § 2 (relative to retirement of certain members of the general court and constitutional officers). (See 1948, 589 § 3; 1949, 546, 807 §§ 3, 4.)

SECT. 28D revised, 1949, 807 § 1; last sentence revised, 1952, 581; section repealed, 1952, 634 § 1. (See 1949, 807 §§ 3, 4.)

SECT. 28E revised, 1949, 809 § 1; repealed, 1952, 634 § 2.

SECT. 28F. (See 1948, 589 § 4.)

SECT. 28G added, 1949, 809 § 2 (relative to the use of the words "fails of re-election"); repealed, 1950, 813 § 2.

SECT. 28H added, 1949, 807 § 2 (relative to the retirement of certain employees of governmental units who are former members of the general court); repealed, 1952, 634 § 3. (See 1949, 807 §§ 3, 4.)

SECT. 28I added, 1950, 700 § 1 (extending benefits of state retirement systems to certain employees of an interstate commission). (See 1950, 700 § 2.)

SECT. 28J added, 1952, 574 § 1 (relative to retirement of certain former members of the general court); repealed, 1952, 634 § 4. (See 1952, 574 § 2.)

SECT. 39, sentence added at end, 1948, 207.

SECT. 42, second sentence revised, 1957, 59.

SECT. 43 amended, 1945, 707; 1949, 748 § 1. (See 1949, 748 § 2.)

SECT. 44 revised, 1934, 135; paragraph added at end, 1934, 285 § 1; section amended, 1936, 223; last paragraph amended, 1937, 102 § 1. (See 1937, 202.)

SECT. 45 revised, 1945, 483 § 1.

SECT. 45A added, 1945, 708 § 1 (relative to retirement allowances of school janitors in certain cities and towns). (See 1945, 708 § 2.)

SECT. 45B added, 1949, 407 § 1 (relative to the retirement of certain school janitors and custodians). (See 1949, 407 § 2.)

SECT. 46 revised, 1941, 344 § 1; 1955, 770 § 2. (See 1955, 770 §§ 117, 118, 123.)

SECT. 47 amended, 1941, 344 § 2.

SECT. 48 revised, 1938, 379; amended, 1955, 770 § 3. (See 1955, 770 §§ 117, 123.)

SECTS. 49-51 and caption preceding section 49 stricken out, 1954, 627 § 9. (See 1954, 627 §§ 65, 67.)

SECT. 52 amended, 1932, 114 § 1; 1954, 627 § 10. (See 1954, 627 §§ 65, 67.)

SECT. 53 amended, 1932, 114 § 2; 1954, 627 § 11. (See 1954, 627 §§ 65, 67.)

SECT. 56 revised, 1943, 514 § 1; first paragraph amended, 1947, 453 § 1; revised, 1948, 665 § 1; 1949, 602; 1950, 668 § 1; paragraph added at end, 1945, 677. (See 1943, 514 § 4; 1948, 665 §§ 4, 5.)

SECT. 57 revised, 1943, 514 § 2; amended, 1947, 453 § 2; revised, 1948, 665 § 2; amended, 1950, 668 § 2; 1954, 627 § 12. (See 1943, 514 § 4; 1948, 665 §§ 4, 5; 1954, 627 §§ 65, 67.)

SECT. 57A added, 1945, 658 § 8 (making certain provisions of the contributory pension laws applicable to the retirement of veterans under veterans' non-contributory pension laws).

SECT. 58 revised, 1943, 514 § 3; 1948, 665 § 3; amended, 1950, 668 § 3. (See 1943, 514 § 4; 1948, 665 §§ 4, 5.)

SECT. 58A added, 1945, 671 (further regulating the creditable service of certain veterans in the public service upon their retirement therefrom); revised, 1954, 627 § 13; amended, 1959, 576 § 1B. (See 1954, 627 §§ 65, 67; 1959, 576 § 2.)

SECT. 58B added, 1956, 541 (providing that certain veterans eligible for retirement may exercise an option for the benefit of the surviving

spouse); first sentence revised, 1957, 113 § 1; paragraph added at end, 1957, 413; amended, 1958, 669 § 1; paragraph added at end, 1957, 708 § 1; amended, 1958, 669 § 2. (See 1957, 113 § 2, 708 § 2; 1958, 669 § 4.)

SECT. 60, paragraph added at end, 1934, 285 § 2; same paragraph amended, 1937, 102 § 2; 1938, 452 § 1; section revised, 1945, 483 § 2, 678; 1954, 627 § 14; 1954, 688 § 3. (See 1938, 452 § 2; 1954, 627 §§ 65, 67.)

SECT. 60A, paragraph added at end, 1934, 285 § 3; amended, 1937, 102 § 3; revised, 1945, 483 § 3; repealed, 1954, 627 § 15. (See 1954, 627 §§ 65, 67.)

SECTS. 61-64 repealed, 1937, 409 § 2. (See 1937, 409 §§ 5-7.)

SECT. 65, last sentence stricken out, 1937, 336 § 22; section repealed, 1937, 409 § 2. (See 1937, 409 §§ 5-7.)

SECT. 65A added, 1937, 409 § 1 (relative to the retirement or resignation of members of the judiciary); amended, 1939, 451 § 5; first sentence stricken out and three sentences inserted, 1956, 670; sentence added at end, 1946, 525; same sentence revised, 1950, 747 § 1; 1951, 775; section revised, 1958, 341 § 1. (See 1937, 409 §§ 5-7; 1950, 747 § 2; 1957, 668; 1958, 341 § 2.)

SECT. 65B added, 1941, 689 § 1 (providing pensions for special justices of district courts); revised, 1943, 398; amended, 1956, 738 § 9. (See 1941, 689 § 2; 1956, 738 §§ 13, 14.)

SECT. 66, paragraph added at end, 1934, 285 § 4; amended, 1937, 102 § 4.

SECT. 68 revised, 1943, 545 § 1; 1945, 322.

SECTS. 68A-68C added, 1939, 503 § 3 (relative to the retirement of members of the state police). (See 1939, 503 § 5.)

SECT. 68C revised, 1943, 545 § 2.

SECTS. 68A-68C stricken out, 1945, 658 § 1. (See 1945, 658 § 11.)

SECT. 69 revised, 1946, 576 § 1.

SECT. 70, paragraph added at end, 1934, 285 § 5; amended, 1937, 102 § 5; section revised, 1937, 416 § 4; repealed, 1939, 441 § 4. (See 1937, 416 § 5; 1939, 441 §§ 3, 5.)

SECT. 75, paragraph added at end, 1934, 285 § 6; amended, 1937, 102 § 6; section revised, 1938, 323 § 1; amended, 1957, 643 § 1.

SECT. 76 revised, 1938, 323 § 2; 1956, 649; 1957, 643 § 2.

SECT. 76A added, 1957, 643 § 2 (relative to the apportionment of the payment of pensions of probation officers in the superior court).

SECT. 77, paragraph (a) revised, 1936, 290 § 1; 1939, 243; paragraph (b) amended, 1945, 483 § 3A; paragraph (c) added at end, 1936, 290 § 2; amended, 1945, 483 § 3B. (Affected, 1937, 102 § 7, 283.) (See 1948, 515.)

SECT. 77A added, 1957, 750 § 1 (providing pensions for widows of laborers under the non-contributory pension system). (See 1957, 750 § 2.)

SECT. 78 revised, 1939, 361 § 1; amended, 1945, 483 § 4. (Affected, 1937, 102 § 7, 283; 1939, 361 § 2.)

SECT. 78A added, 1934, 285 § 7 (providing for the ultimate abolition of non-contributory pensions under certain provisions of general law for laborers); amended, 1937, 102 § 7; revised, 1937, 283 § 1. (See 1937, 283 § 2.)

SECTS. 80-85. See 1949, 636.

SECT. 80, paragraph added at end, 1934, 285 § 8; section amended, 1936, 439 § 1; last paragraph amended, 1937, 102 § 8; section amended, 1945, 483 § 5.

SECT. 81 amended, 1933, 103; 1938, 277 § 1. (See 1938, 277 § 3.)

SECTS. 81A and 81B added, 1946, 576 § 2 (additional provisions for the retirement of members of fire departments in certain cities). (See 1946, 576 § 8.)

SECT. 83 amended, 1936, 439 § 2; 1938, 277 § 2; last sentence of first paragraph revised, 1939, 264 § 1; section amended, 1945, 483 § 6. (See 1938, 277 § 3; 1939, 264 § 2.)

SECT. 83A added, 1946, 576 § 3 (additional provisions for the retirement of members of police departments in certain cities.) (See 1946, 576 § 8.)

SECT. 84 amended, 1945, 483 § 7.

SECT. 85, first sentence amended, 1945, 483 § 8; second sentence revised, 1936, 439 § 3.

SECT. 85A revised, 1935, 31 § 1; amended, 1945, 483 § 9; revised, 1946, 576 § 4. (See 1935, 31 § 2.)

SECT. 85B added, 1932, 253 (regulating the retirement and pensioning of certain members of the police forces of park boards of cities and towns); amended, 1945, 483 § 10.

SECT. 85C added, 1934, 285 § 9 (providing for the ultimate abolition of non-contributory pensions under certain provisions of general law for policemen and firemen); amended, 1937, 102 § 9.

SECT. 85D added, 1937, 220 (relative to the retirement of certain call members of fire departments in certain towns); amended, 1945, 483 § 11; revised, 1946, 576 § 5.

SECT. 85E added, 1946, 576 § 6 (additional provisions for the retirement of members of police and fire departments in certain towns). (See 1946, 576 § 8.)

SECT. 85F added, 1946, 576 § 6 (relative to the retirement for accidental or ordinary disability of members of police and fire departments in certain cities and towns); first sentence revised, 1952, 431 § 1.

SECT. 85G added, 1948, 483 (relative to the retirement of certain police officers and firemen of certain cities and towns).

SECT. 85H added, 1952, 431 § 2 (providing for retirement of certain disabled call firemen and policemen injured in line of duty); revised, 1954, 633.

SECT. 85I added, 1954, 268 (relative to creditable service in the retirement of certain police officers and fire fighters in certain cities and towns).

SECT. 85J added, 1956, 374 (relative to providing pensions for widows of policemen and fire fighters under the non-contributory retirement law); first paragraph amended, 1957, 583; second paragraph amended, 1957, 583; 1958, 128.

SECT. 86 revised, 1946, 576 § 7; 1949, 562; repealed, 1950, 395.

SECT. 89 revised, 1932, 276; amended, 1933, 340 § 1; 1934, 343; revised, 1935, 466; amended, 1936, 326; paragraph inserted after second paragraph, 1957, 286; first paragraph amended, 1943, 366; first sentence amended, 1945, 641; first paragraph revised, 1945, 696; 1952, 431 § 3; amended, 1956, 666 § 1; third paragraph amended, 1947, 96; paragraph added at end, 1949, 503. (See 1933, 340 § 2.)

SECT. 89A added, 1948, 552 (increasing annuities to dependents of certain public employees killed or who died from injuries received or hazards undergone in the performance of duty); first paragraph amended, 1950, 757; 1956, 666 § 2; third sentence amended, 1951, 147 § 1; fourth sentence revised, 1952, 431 § 4; paragraph inserted after second paragraph, 1956, 424; last sentence revised, 1949, 423 § 1; last paragraph revised, 1949, 522. (See 1949, 423 § 2; 1951, 147 § 2.)

SECT. 89B added, 1956, 733 (providing annuities to dependents of certain police officers and fire fighters killed in the performance of duty); paragraph inserted after fifth paragraph, 1957, 357.

SECT. 90 revised, 1936, 439 § 4.

SECT. 90A added, 1943, 452 § 1 (authorizing certain cities and towns to increase the retirement allowances of certain former employees retired on account of accidental disability). (See 1943, 452 § 2.)

SECT. 90B added, 1955, 590 § 1 (authorizing certain retired persons and those claiming under them to waive their rights to any portion of their retirement allowances).

SECT. 91 revised, 1938, 439 § 5; amended, 1941, 670 § 24; first sentence amended, 1947, 462; revised, 1948, 15 § 2; amended, 1949, 511; 1950, 656; revised, 1951, 417; sentence added at end, 1947, 394; same sentence revised, 1950, 264; 1954, 343, 549; two sentences added at end, 1957, 291. (See 1938, 439 § 7; 1941, 670 § 26.)

SECT. 91A added, 1957, 766 § 1 (providing for the annual adjustment of pensions and retirement allowances payable to persons engaged in gainful occupation after retirement for disability).

SECT. 91A added, 1958, 684 § 1 (approved by the people at state election on November 4, 1958. This act impliedly supersedes section 91A, as inserted by 1957, 766 § 1, according to opinion of Attorney General, December 23, 1958); first sentence amended, 1959, 504 § 1. (See 1959, 504 § 2.)

SECT. 92 amended, 1953, 509 § 2.

SECT. 92A added, 1955, 686 (securing to the wives and children of pensioners residing outside the United States the benefits of such pensions in certain cases).

SECT. 94 added, 1950, 551 (presumption that hypertension or heart disease was suffered in line of duty in certain cases relative to retirement for accidental disability); revised, 1951, 594; amended, 1956, 411; revised, 1956, 511, 580.

SECTS. 95-97 added, 1953, 387 (authorizing cities and towns to grant or increase retirement allowances, pensions or annuities to certain employees or their survivors).

SECT. 95A added, 1958, 559 § 1 (authorizing cities and towns to grant annuities to the surviving spouse, or children, of certain officials or employees). (See 1955, 559 § 3.)

SECT. 96 revised, 1959, 513 § 1.

SECT. 97 amended, 1958, 559 § 2; revised, 1959, 513 § 2.

SECT. 98 added, 1958, 403 (authorizing advance payments to certain employees of the commonwealth who are eligible for retirement).

SECT. 99 added, 1959, 121 (authorizing advance payments to certain municipal employees who are eligible for retirement).

Chapter 32A. — Contributory Group General or Blanket Insurance for Persons in the Service of the Commonwealth.

New chapter inserted, 1955, 628 § 1. (See 1955, 628 §§ 2-4.)

SECT. 2, paragraph (b) revised, 1956, 582 § 1; 1958, 301; 1958, 558 § 1; paragraph (d) revised, 1959, 426 § 1; amended, 1959, 516; paragraph (c) inserted, 1956, 582 § 2.

SECT. 3 revised, 1958, 355 § 1.

SECT. 5 revised, 1956, 582 § 3.

SECT. 8, paragraph (a) amended, 1959, 426 § 2; paragraph (b) revised, 1956, 582 § 4; paragraph (c) revised, 1956, 582 § 4; amended, 1958, 558 § 2; 1958, 355 § 2.

SECT. 9 revised, 1958, 424 § 1. (See 1958, 424 § 2.)

Chapter 32B. — Contributory Group General or Blanket Insurance for Persons in the Service of Counties, Cities, Towns and Districts, and their Dependents.

New chapter inserted, 1955, 760 § 1.

Chapter stricken out and new chapter 32B inserted, 1956, 730 § 1. (See 1956, 730 §§ 2, 3.)

For prior changes see Table of Changes contained in Acts and Resolves of 1956.

The following references are to chapter 32B, as so inserted:

SECT. 2, paragraph (g) revised, 1958, 136 § 2; section revised, 1958, 536; paragraph (d) revised, 1958, 580; paragraph (g) revised, 1958, 558 § 3. (See 1958, 558 §§ 5, 6.)

SECT. 3, first paragraph amended, 1957, 242; 1959, 170.

SECT. 9A added, 1959, 595 (authorizing certain political subdivisions of the commonwealth to contribute one half of the cost of certain premiums of insurance of retired employees).

SECT. 13 revised, 1958, 136 § 1; repealed, 1958, 558 § 4.

Chapter 33. — Militia.

Act establishing a special military reservation commission, and authorizing the acquisition by the commonwealth for military purposes of certain properties in Sandwich, Bourne, Falmouth and Mashpee, 1935, 196; powers and duties of the commission defined, 1936, 344 §§ 1, 2; reservation enlarged, 1941, 5. (See 1938, 331.)

Chapter stricken out and new chapter 33 inserted, 1939, 425 § 1. (See 1939, 425 § 2.)

Chapter stricken out and new chapter 33 inserted, 1954, 590 § 1. (See 1954, 590 § 2.)

For prior changes see Tables of Changes contained in Acts and Resolves of 1952 and 1953.

The following references are to chapter 33, as so inserted:

SECT. 19, paragraph (b) revised, 1959, 383.

SECT. 59 amended, 1956, 378.

SECT. 88 revised, 1958, 629 § 1.

SECT. 90 amended, 1958, 629 § 2.

SECT. 97, paragraph (a) (1) amended, 1955, 468.

SECT. 99 revised, 1955, 204.

Chapter 34. — Counties and County Commissioners.

SECT. 1 revised, 1933, 278 § 2.

SECT. 4 amended, 1935, 257 § 1; revised, 1939, 31 § 1. (See 1935, 257 § 12.)

SECT. 5, schedule revised, 1943, 102 § 1; 1949, 193 § 1, 767 § 1; 1951, 743 § 3. (See 1943, 102 § 2; 1949, 193 § 2, 767 § 2; 1951, 743 §§ 4-6.)

SECT. 7 amended, 1935, 257 § 2; last sentence stricken out, 1939, 31 § 2. (See 1935, 257 § 12.)

SECT. 9F added, 1958, 626 § 3 (providing that meetings of county boards and commissions be open to the public).

SECT. 12 revised, 1935, 257 § 3. (See 1935, 257 § 12.)

SECT. 14, last sentence amended, 1947, 58.

SECT. 16 revised, 1947, 449 § 1. (See 1947, 449 § 7.)

SECT. 17 revised, 1932, 74; third sentence stricken out and two sentences inserted, 1949, 797; sentence inserted before last sentence, 1949, 481 § 3; affected, 1939, 452 § 7; section revised, 1951, 479.

SECT. 19 amended, 1935, 257 § 4. (See 1935, 257 § 12.)

SECT. 23 added, 1932, 297 (authorizing counties to receive certain gifts); revised, 1950, 162 § 2; second sentence revised, 1954, 126 § 2.

Chapter 35. — County Treasurers, State Supervision of County Accounts and County Finances.

For legislation enabling counties to secure the benefits provided by the federal government to assist them in public works projects, see 1945, 74; 1947, 526. [For prior legislation, see 1933, 366; 1934, 21; 1935, 404; 1936, 64, 83, 414; 1937, 159; 1938, 50, 82; 1939, 423; 1941, 639; 1943, 58.]

Provisions relative to travel allowance of county employees using certain cars on official business, 1933, 322 § 4; 1939, 452 § 2; 1941, 528 § 3; 1943, 465 § 3; 1945, 550 § 3; 1946, 348 § 3.

Provisions relative to expenses incurred for meals by county employees, 1939, 452 § 3; 1941, 528 § 2; 1943, 465 § 2; 1945, 550 § 2; 1946, 348 § 2.

For legislation increasing the salaries of justices, clerks and probation officers of district courts, probation officers of the superior court, trial justices and county commissioners, see 1946, 348 § 4.

SECT. 2 revised, 1945, 289.

SECT. 3 revised, 1932, 56; sentence added at end, 1939, 109 § 2.

SECT. 11 amended, 1943, 65; revised, 1950, 659 § 1.

SECT. 19A added, 1945, 635 § 2 (providing for advances of their vacation pay to officers and employees of counties); two paragraphs added at end, 1958, 293.

SECT. 19B added, 1953, 436 § 1 (relative to the payment of salaries, wages or other sums owing by cities and towns upon the death of their officers and employees); revised, 1954, 562 § 2. (See 1953, 436 § 7.)

SECT. 20 revised, 1950, 659 § 2.

SECT. 21 amended, 1937, 64 § 2.

SECT. 22 revised, 1948, 153; 1952, 87.

SECT. 24 revised, 1951, 530 § 2.

SECT. 25 amended, 1933, 175 § 1.

SECT. 27 amended, 1933, 175 § 2.

SECT. 28 amended, 1933, 318 § 2; 1934, 291 § 2; revised, 1939, 501 § 1; 1945, 158 § 1; first sentence revised, 1952, 80; 1953, 33; amended, 1955, 316 § 1; two sentences inserted after first sentence, 1949, 481 § 1; next to

last sentence amended, 1950, 543 § 4; 1952, 516; 1953, 70. (See 1933, 318 § 9; 1934, 291 § 6.)

SECT. 28A added, 1943, 414 § 2 (establishing a budget system for county tuberculosis hospitals); amended, 1945, 158 § 7; revised, 1945, 398 § 3. (See 1945, 398 §§ 4, 5.)

SECT. 29 revised, 1939, 501 § 2; amended, 1945, 158 § 2.

SECT. 30 revised, 1939, 501 § 3; sentence added at end, 1943, 39; section revised, 1945, 158 § 3.

SECT. 34 revised, 1937, 36; amended, 1939, 501 § 4; 1945, 158 § 4; last sentence amended, 1948, 591 § 3; paragraph added at end, 1959, 51. (See 1948, 591 §§ 4-7.)

SECT. 34A added, 1947, 201 (relative to agreements entered into by county commissioners for highway work in anticipation of appropriations).

SECT. 36A amended, 1939, 501 § 5; revised, 1943, 80; first sentence amended, 1945, 158 § 5.

SECT. 37 amended, 1933, 28.

SECT. 37A amended, 1933, 29; sentence inserted before last sentence, 1952, 66.

SECT. 38 amended, 1953, 75.

SECTS. 39A-39F added, 1949, 488 (relative to the furnishing and certification of county notes by the director of accounts).

SECT. 40 amended, 1936, 23 § 1.

SECT. 43A revised, 1939, 214 § 1.

SECT. 43B added, 1939, 214 § 2 (relative to the effect of the filing of annual fidelity bonds by county officers and employees).

SECT. 44 amended, 1949, 481 § 2.

SECT. 45 amended, 1953, 319 § 5. (See 1953, 319 §§ 39, 40.)

SECT. 46 revised, 1953, 654 § 2.

SECT. 48, fourth sentence revised, 1947, 102 § 1; last sentence of first paragraph revised, 1949, 538; paragraph added at end, 1947, 102 § 2.

SECT. 49 amended, 1935, 182 § 1; 1938, 347 § 1; 1939, 165 § 1; 1941, 447 § 1; 1943, 136 § 1; 1945, 486 § 2; 1946, 262 § 1; revised, 1946, 512 § 1; amended, 1947, 290 § 1; first sentence amended, 1947, 400 § 1; revised, 1947, 469 § 1; amended, 1948, 183 § 1, 664 § 1; revised, 1949, 774 § 1; amended, 1951, 611 § 2; 1956, 738 § 10; 1959, 609 § 7. (See 1935, 182 § 6; 1938, 347 § 3; 1939, 165 § 3; 1941, 447 §§ 4, 5; 1943, 136 § 3; 1946, 262 §§ 4, 5, 512 § 3; 1947, 400 §§ 3, 4; 1949, 774 § 5; 1956, 738 §§ 13, 14; 1959, 609 § 9.)

SECT. 51 amended, 1938, 73 § 2; paragraph added at end, 1948, 345; three paragraphs added at end, 1955, 645.

SECTS. 51A and 51B added, 1948, 591 § 1 (establishing a salary schedule for certain officers and employees of counties, except Suffolk, and providing for certain temporary cost-of-living adjustments). (See 1948, 591 §§ 4-7; 1949, 782 §§ 2, 4, 5, 6.)

SECT. 51A revised, 1957, 621 § 1. (See 1957, 621 §§ 3-10.)

SECT. 51B, salary schedule revised, 1949, 782 § 1; 1951, 743 §§ 1, 2; 1954, 566 § 1; paragraph (2) revised, 1954, 566 § 2; paragraph (7) revised, 1949, 782 § 3; section revised, 1957, 621 § 2. (See 1949, 782 §§ 2, 4, 5, 6; 1951, 743 §§ 4-6; 1954, 566 §§ 3, 4; 1957, 621 §§ 3-10.)

SECT. 52, second paragraph revised, 1938, 73 § 1.

SECT. 54 revised, 1948, 591 § 2. (See 1948, 591 §§ 4-7.)

SECT. 55 amended, 1949, 774 § 6.

Chapter 36. — Registers of Deeds.

SECT. 3 revised, 1937, 219 § 1; 1939, 214 § 3.

SECT. 4 amended, 1947, 352 § 2.

SECT. 5 revised, 1947, 352 § 1.

SECT. 11 revised, 1947, 449 § 2. (See 1947, 449 § 7.)

SECT. 13A amended, 1951, 191.

SECT. 13B added, 1958, 61 (authorizing the filing of certain plans in registries of deeds).

SECT. 15 revised, 1949, 395 § 1. (See 1949, 395 § 3; 1950, 182, 350.)

SECT. 18A added, 1947, 256 § 2 (authorizing registers and assistant registers to print or type names of persons on filed instruments if not clearly legible).

SECT. 24, first sentence amended, 1955, 306 § 2; sentence added at end, 1952, 245; 1956, 644.

SECT. 24A added, 1941, 89 (authorizing the recording of certified copies of petitions, decrees and orders filed or made pursuant to the federal bankruptcy laws and thereby giving effect to certain provisions of said laws).

SECT. 24B added, 1945, 569 § 1 (relative to the furnishing of abstract cards and photostatic copies of recorded instruments in the Norfolk county registry of deeds and Norfolk registry district to the assessors of municipalities of said county); first paragraph revised, 1949, 189; section revised, 1950, 539 § 1.

SECT. 28 amended, 1952, 250 § 1. (See 1952, 250 § 3.)

SECT. 31 repealed, 1952, 250 § 2. (See 1952, 250 § 3.)

SECT. 33, paragraph added at end, 1948, 664 § 2; revised, 1952, 543; 1956, 661.

Chapter 37. — Sheriffs.

SECT. 2 revised, 1937, 219 § 2.

SECT. 17 amended, 1945, 63; 1946, 121.

SECT. 21 revised, 1943, 159 § 1. (See 1943, 159 § 2.)

SECT. 22 amended, 1932, 180 § 5.

SECT. 23 amended, 1936, 31 § 2; repealed, 1937, 148.

Chapter 38. — Medical Examiners.

SECT. 1, paragraph in lines 70-76 amended, 1939, 260; 1947, 69 § 1; section amended, 1939, 451 § 6; paragraph added at end, 1952, 44.

SECT. 2, last sentence stricken out and two sentences inserted, 1945, 632 § 1.

SECT. 2A added, 1943, 153 § 1 (authorizing associate medical examiners in Barnstable County to perform the duties of medical examiner thereof in certain cases); repealed, 1945, 632 § 2. (See 1943, 153 § 2.)

SECT. 3 revised, 1939, 214 § 4.

SECT. 5, first three sentences revised, 1947, 579; first sentence revised, 1955, 422; third sentence amended, 1949, 510; last sentence revised, 1945, 632 § 3; 1959, 301 § 1.

SECT. 6 amended, 1939, 475; revised, 1945, 632 § 4.

SECT. 7 amended, 1941, 366; revised, 1945, 632 § 5; amended, 1953, 319 § 6; last sentence revised, 1950, 143. (See 1953, 319 §§ 39, 40.)

SECT. 8 revised, 1932, 118 § 1; amended, 1939, 30 § 1. (See 1939, 30 § 2.)

SECT. 9 amended, 1953, 319 § 7. (See 1953, 319 §§ 39, 40.)

SECT. 11 amended, 1941, 499.

SECT. 16 amended, 1959, 301 § 2.

SECT. 18 revised, 1953, 320; 1955, 162.

SECT. 19 revised, 1945, 632 § 6.

Chapter 39. — Municipal Government.

SECT. 6A added, 1952, 259 § 1 (relative to salaries of certain mayors, city councillors and aldermen); amended, 1958, 72 § 1; sentence added at end, 1958, 513 § 1. (See 1952, 259 § 4.)

SECT. 8A added, 1950, 132 § 1 (relative to the removal of certain officers of cities by the city council). (See 1950, 132 § 2.)

SECT. 10 amended, 1935, 403 § 1; 1939, 182; sentence inserted after third sentence, 1949, 152 § 1; same sentence stricken out and two sentences inserted, 1959, 64 § 1; fifth and sixth sentences revised, 1954, 32. (See 1935, 403 § 2.)

SECT. 14, first and second paragraphs revised, 1943, 453 §§ 1 and 2, respectively; paragraph added at end, 1949, 152 § 2; amended, 1959, 64 § 2.

SECT. 16, first paragraph revised, 1950, 56.

SECT. 19 repealed, 1934, 39 § 1.

SECT. 20 amended, 1934, 39 § 2.

SECT. 23 amended, 1934, 39 § 3.

SECTS. 23A and 23B added, 1958, 626 § 4 (providing that meetings of certain local boards, commissions, committees and authorities shall be open to the public).

Chapter 40. — Powers and Duties of Cities and Towns.

For temporary legislation relative to the appointment of veterans to civil service employments under the apprentice training provisions of the G. I. Bill of Rights, so called, see 1946, 586; 1947, 673; 1948, 392.

For temporary legislation relative to the emergency housing commission and to local boards of appeals, see 1946, 592; 1947, 609; 1948, 567.

SECT. 4, first paragraph amended, 1951, 798 § 1; revised, 1957, 221 § 1; second paragraph amended, 1941, 351 § 3; 1958, 613 § 2A; third paragraph revised, 1932, 271 § 6; paragraph added at end, 1946, 358 § 1; 1950, 521; same paragraph amended, 1954, 33; paragraph added at end, 1951, 798 § 2. (See 1932, 271 § 7; 1951, 798 § 8; 1957, 227 § 2.)

SECT. 4A added, 1945, 438 (authorizing cities and towns and certain districts to make agreements relative to the performance of certain public services). (See 1955, 760 § 3.)

SECT. 4B added, 1951, 25 § 3 (relative to advertising for proposals for certain contracts of towns); sentence added at end, 1951, 678.

SECT. 5, clause (1) amended, 1933, 318 § 3 (see 1933, 318 § 9); 1935, 106; revised, 1935, 179; amended, 1951, 798 § 3 (see 1951, 798 § 8); amended, 1939, 19; 1945, 391 § 2; 1948, 174; 1950, 157; 1946, 358 § 2; 1953, 149; revised, 1953, 209; 1955, 291, 385; 1958, 176; clause (2)

amended, 1936, 390; 1950, 478; clause (5A) added, 1938, 172 § 1 (authorizing appropriations to establish a water supply); clause (11) revised, 1946, 358 § 3, 526; clause (12) amended, 1932, 114 § 3; 1933, 153 § 2, 245 § 2; revised, 1936, 132 § 1, 163; amended, 1941, 217 § 2; 1943, 99; 1946, 409 § 2; 1947, 144; revised, 1947, 468 § 2; amended, 1948, 445 § 1; 1949, 118 § 2; revised, 1950, 27 § 2; amended, 1954, 627 § 16; 1950, 354 § 2, 492 § 2; 1951, 718; 1955, 271 § 1; revised, 1956, 211; amended, 1958, 118 § 2; 1959, 59 § 2; clause (16A) added, 1946, 358 § 4 (authorizing appropriations for the employment of legal counsel for general purposes); clause (19A) added, 1955, 85 § 1 (authorizing cities and towns to construct, operate and maintain incinerators and to appropriate funds for same); clause (20) amended, 1946, 358 § 5; clause (23) revised, 1948, 660 § 24 (see 1948, 660 § 26); amended, 1949, 761 § 11; clause (25A) added, 1946, 358 § 6 (authorizing appropriations for the maintenance and supervision of beaches and swimming pools for recreation and physical exercise); revised, 1948, 89; 1956, 596 § 1; clause (26) amended, 1946, 358 § 7; clause (27) revised, 1946, 358 § 8; clause (28) revised, 1936, 211 § 5 (see 1936, 211 § 7); amended, 1947, 340 § 5; revised, 1953, 674 § 9; clause (29) amended, 1953, 535 § 1; clause (33) revised, 1946, 358 § 9; clause (34) amended, 1951, 149; clause (36A) added, 1949, 163 (authorizing appropriations for suppression and eradication of ragweed); 1950, 141; clause (37) revised, 1943, 177 § 1 (see 1943, 177 § 2; 1947, 635); 1956, 77; clause (38) added, 1934, 154 § 1 (authorizing appropriations for protection of interests in real estate held under tax title or taking); clause (39) added, 1935, 28 (authorizing appropriations for the purpose of cooperating with the federal government in certain unemployment relief and other projects); clause (40) added, 1937, 185 (authorizing appropriations for eyeglasses for needy school children); clause (40A) added, 1947, 525 (authorizing appropriations for payment of expenses incurred by or in behalf of certain injured school children); clause (40B) added, 1952, 247 § 1 (authorizing appropriations for payment of certain expenses incurred for injuries sustained by school pupils in shop or laboratory work); clause (40C) added, 1958, 124 (authorizing cities and towns to provide co-operative or complementary facilities to mental health out-patient clinics); clause (41) added, 1938, 142 § 1 (authorizing cities and towns to appropriate money for stocking inland waters herein with fish and for liberating game therein); amended, 1941, 599 § 4; 1950, 101; clause (42) added, 1951, 113 (allowing the granting of token awards by a playground or recreation commission); clause (43) added, 1952, 118 (allowing the granting of awards to municipal employees for suggestions relative to the improvement of municipal services); clause (44) added, 1952, 239 (authorizing appropriations for the payment of premiums for group life insurance for permanent employees); clause (44A) added, 1955, 760 § 2; clause (45) added, 1953, 576 § 2 (authorizing appropriations for erecting and maintaining public bath houses in public beach districts); clause (46) added, 1954, 149 (authorizing appropriations for certain celebrations); clause (46A) added, 1956, 152 (authorizing appropriations for the annual observance of United Nations Day and Veterans Day and certain other days); amended, 1958, 118 § 1; 1959, 57; clause (47) added, 1954, 297 § 2 (authorizing appropriations for the establishment of business and industrial commissions); clause (48) added, 1955, 716 § 1 (authorizing

cities and towns to construct, maintain and operate outdoor artificial ice skating rinks); amended, 1959, 73 § 1; clause (49) added, 1956, 495 § 2 (authorizing appropriations for the purpose of conducting programs dealing with problems of the aging); amended, 1957, 361; revised, 1957, 406 § 2; 1959, 376; clause (50) added, 1957, 22 (authorizing towns to appropriate money for the control of encephalitis); clause (51) added, 1957, 223 § 2 (authorizing towns to appropriate money for the purpose of establishing and maintaining a conservation commission); amended, 1959, 208; clause (52) added, 1958, 390 (authorizing towns to appropriate money for the control of diseases of epidemic proportions). (See 1938, 142 § 2; 1954, 627 §§ 65, 67.)

SECT. 5A added, 1936, 40 (providing for the establishment of reserve funds for cities); amended, 1937, 34; 1949, 135.

SECT. 5B added, 1945, 124 (authorizing cities and towns to appropriate money for a stabilization fund); first paragraph revised, 1957, 404 § 1; second paragraph amended, 1957, 215; third paragraph revised, 1957, 404 § 2.

SECT. 6B revised, 1957, 213.

SECTS. 6C and 6D added, 1943, 225 (relative to the removal by cities and towns of snow and ice from private ways therein open to public use).

SECT. 6E added, 1950, 538 (relative to the repair by cities and towns of private ways therein open to public use); amended, 1951, 299.

SECT. 6F added, 1953, 386 § 1 (further regulating the repair by cities and towns of private ways therein open to public use).

SECT. 6G added, 1958, 195 (authorizing cities and towns to provide temporary resurfacing of certain private ways open to public use upon payment of one half the cost by certain abutting owners).

SECT. 8A added, 1954, 297 § 1 (authorizing cities and towns to establish commissions to promote business and industry); second paragraph amended, 1955, 102 § 1. (See 1954, 511; 1955, 102 § 2.)

SECT. 8B added, 1956, 495 § 1 (authorizing cities and towns to establish local councils for the aging and to appropriate funds therefor); amended, 1957, 406 § 1.

SECT. 8C added, 1957, 223 § 1 (authorizing cities and towns to establish conservation commissions).

SECT. 9 amended, 1933, 245 § 3; 1935, 305; 1936, 271; first paragraph revised, 1946, 51, 209 § 2, 409 § 3; 1947, 468 § 3, 671; amended, 1949, 118 § 3; revised, 1949, 343 § 1; paragraph added at end, 1937, 255; section revised, 1949, 563 § 1; first sentence amended, 1950, 303; 1952, 115, 443; 1953, 469; revised, 1959, 59 § 3; sentence inserted after first sentence, 1953, 175. (See 1949, 343 § 2.)

SECT. 9A repealed, 1949, 563 § 2.

SECT. 11 amended, 1941, 490 § 9; 1953, 535 § 2; 1948, 355; revised, 1956, 573.

SECT. 11A added, 1953, 576 § 3 (relative to the forming of public beach districts by cities).

SECT. 12A repealed, 1941, 598 § 5.

SECTS. 12B-12G added, 1953, 576 § 1 (authorizing cities and towns to form public beach districts.)

SECT. 13, paragraph added at end, 1941, 130.

SECT. 14 revised, 1933, 283 § 1.

SECT. 15, paragraph added at end, 1958, 680.

SECT. 15A added, 1951, 798 § 4 (authorizing cities and towns to transfer certain land in certain cases); revised, 1954, 105. (See 1951, 798 § 8.)

SECT. 15B added, 1957, 552 (permitting the sale, rental or use of certain lands no longer needed for public water supply purposes, and the granting of certain easements or rights over such land).

SECT. 17 amended, 1933, 254 § 2. (See 1933, 254 § 66.)

SECT. 21 amended, 1953, 319 § 8; clause (16) added, 1941, 346 § 1; clause (17) added, 1949, 98; amended, 1951, 352; revised, 1959, 220; clause (18) added, 1952, 594; clause (19) added, 1953, 402; amended, 1955, 24; revised, 1957, 436; clause (20) added, 1954, 213; clause (21) added, 1956, 509. (See 1953, 319 §§ 39, 40.)

SECT. 21A added, 1951, 798 § 5 (authorizing cities and towns to establish work weeks and hours for certain municipal employees). (See 1951, 798 § 8.)

SECT. 21B added, 1955, 294 (providing for the adjustment of certain grievances of certain employees of cities and towns).

SECT. 22, paragraph added at end, 1949, 644 § 1; same paragraph amended, 1955, 458 § 1; revised, 1957, 417 § 1.

SECT. 22A added, 1947, 442 § 1 (authorizing the installation and operation of parking meters in cities and towns); sentence added at end, 1949, 644 § 2; revised, 1957, 417 § 2; sentence added at end, 1952, 592; 1955, 458 § 2; same sentence stricken out, 1957, 417 § 3.

SECT. 22B added, 1949, 776 (authorizing the use of receipts from parking meters for the acquisition and maintenance of off-street parking areas and facilities); amended, 1953, 92; revised, 1959, 270.

SECT. 22C added, 1951, 326 (relative to parking meters in off-street parking lots).

SECTS. 25-33. For special zoning provisions for Boston, see 1924, 488 and amendments prior to 1932; 1932, 143; 1933, 204; 1934, 210; 1936, 240; 1941, 373; 1946, 198.

SECTS. 25-30A stricken out, and new sections 25-30A (municipal zoning laws) inserted, 1933, 269 § 1. (See 1933, 269 § 4.)

SECT. 25, first paragraph amended, 1950, 325 § 1.

SECT. 26 amended, 1952, 438.

SECT. 27 revised, 1941, 320.

SECT. 27A added, 1938, 133 § 1 (to prevent multiplicity of proposals for the same change in zoning ordinances or by-laws).

SECT. 28 revised, 1941, 176.

SECT. 30, first paragraph (as appearing in 1933, 269 § 1) amended, 1945, 167; second paragraph (as so appearing) amended, 1951, 205; paragraph in lines 54-60 (as appearing in 1933, 269 § 1) stricken out and two paragraphs added, 1941, 198 § 1; paragraph in lines 61-70 (as so appearing) amended, 1935, 388 § 1; clause (1) in lines 72-76 (as so appearing) revised, 1941, 198 § 2; paragraph in lines 80-90 (as so appearing) amended, 1935, 388 § 2; next to last paragraph amended, 1953, 102. (See 1941, 198 § 3.)

SECTS. 25-30. Temporarily affected, 1951, 307.

SECT. 30A stricken out and reinserted as section 30B and new section 30A inserted, 1938, 133 § 2 (to prevent multiplicity of proposals for the same change in the application of zoning ordinances or by-laws).

SECT. 30B, sentence added at end, 1950, 325 § 2.

SECTS. 25-30B stricken out, 1954, 368 § 1. (See 1954, 368 § 3.)

SECT. 32 revised, 1933, 185 § 1; amended, 1941, 520 § 1; revised, 1952, 337. (See 1933, 185 § 2; 1941, 520 § 2.)

SECT. 36 amended, 1956, 176.

SECT. 38 revised, 1938, 172 § 2; paragraph added at end, 1941, 465 § 1.

SECTS. 39A-39G added, 1938, 172 § 3 (authorizing the establishment and maintenance of water supply and distributing systems).

SECT. 39A revised, 1941, 465 § 2.

SECT. 39II added, 1943, 125 (authorizing cities, towns and districts, through their water departments, and water companies, to aid similar municipal and other corporations relative to their water supply).

SECT. 39I added, 1958, 527 § 1 (further regulating the testing of water meters).

SECT. 40 revised, 1933, 314; 1945, 606.

SECT. 41A added, 1949, 793 (authorizing certain governmental agencies to restrain the use of water during an emergency).

SECT. 41B added, 1958, 254 (requiring that the will of the voters be ascertained before any public water supply system is fluoridated).

SECT. 42A revised, 1932, 197 § 2; amended, 1936, 42 § 1; revised, 1938, 415 § 1; amended, 1941, 380 § 1; first three sentences stricken out and two sentences inserted, 1954, 487 § 1. (See 1932, 197 § 3; 1938, 415 § 7; 1941, 380 § 7; 1954, 487 § 3.)

SECT. 42B amended, 1935, 56 § 1; revised, 1936, 42 § 2; 1938, 415 § 2; revised, 1941, 380 § 2; sentence inserted after fourth sentence, 1947, 132; section revised, 1954, 487 § 2. (See 1935, 56 § 2; 1938, 415 § 7; 1941, 380 § 7; 1954, 487 § 3.)

SECT. 42C amended, 1935, 248 § 1; revised, 1938, 415 § 3; 1941, 380 § 3; 1954, 487 § 2. (See 1938, 415 § 7; 1941, 380 § 7; 1954, 487 § 3.)

SECT. 42D, last sentence revised, 1935, 248 § 2; section revised, 1938, 415 § 4; 1941, 380 § 4; second paragraph amended, 1950, 80; section revised, 1954, 487 § 2. (See 1938, 415 § 7; 1941, 380 § 7; 1954, 487 § 3.)

SECT. 42E, last sentence amended, 1932, 180 § 6; same sentence revised, 1939, 451 § 7; section amended, 1941, 380 § 5. Affected, 1938, 415 § 7. (See 1941, 380 § 7.)

SECT. 42F affected, 1938, 415 § 7; 1941, 380 § 7.

SECTS. 42G-42I added, 1955, 332 (to authorize the levy of special assessments to meet the cost of laying water pipes in public and private ways).

SECT. 42G, first sentence amended, 1957, 268 § 1. (See 1957, 268 § 2.)

SECT. 42I, first sentence revised, 1955, 639.

SECT. 43A added, under caption, 1941, 678 § 2 (relative to pipe lines for conveying petroleum and its products and by-products).

SECT. 51 revised, 1937, 196; two sentences added at end, 1945, 340; section revised, 1946, 584 § 3. (See 1946, 584 § 22.)

Chapter 40A. — Zoning Regulations.

New chapter inserted, 1954, 368 § 2. (See 1954, 368 § 3.)

SECT. 2, first paragraph revised, 1956, 586; 1957, 145; amended, 1959, 607 § 1.

SECT. 5A added, 1958, 492 (exempting certain lots from the application of certain zoning ordinances or by-laws).

SECT. 6, third and fourth sentences revised, 1957, 137; section revised, 1959, 317 § 1.

SECT. 7A added, 1957, 297 (relative to the effect of the adoption or amendment of zoning laws on a recorded subdivision plan); revised, 1959, 221.

SECT. 13 revised, 1955, 325 § 1.

SECT. 14, second sentence stricken out and two sentences inserted, 1957, 124; last sentence revised, 1954, 551 § 1; 1958, 202. (See 1954, 551 § 2.)

SECT. 15, paragraph 1 revised, 1955, 325 § 2; paragraph 3 revised, 1958, 381; last paragraph amended, 1957, 123.

SECT. 17 revised, 1959, 317 § 2.

SECT. 19, second paragraph revised, 1955, 349.

SECT. 21 revised, 1957, 199 § 1; first sentence stricken out and two sentences inserted, 1958, 175.

Chapter 40B. — Regional Planning.

New chapter inserted, 1955, 374.

SECT. 2 revised, 1955, 656 § 1. (See 1955, 656 § 3.)

SECT. 3, first sentence revised, 1955, 656 § 2. (See 1955, 656 § 3.)

Chapter 41. — Officers and Employees of Cities, Towns and Districts.

SECT. 1, first paragraph revised, 1943, 453 § 3; paragraph in line 10 revised, 1934, 155 § 1; paragraph in line 11 revised, 1953, 267 § 1; paragraph in lines 15, 16 revised, 1939, 129; paragraph in line 25 revised, 1939, 3; paragraph in lines 26, 27 revised, 1955, 33; paragraph added at end, 1938, 341 § 2.

SECT. 4A, sentence added at end, 1951, 6.

SECT. 5 amended, 1934, 39 § 4.

SECT. 10 revised, 1954, 201.

SECT. 11 amended, 1938, 341 § 3.

SECT. 13 amended, 1936, 18; 1937, 143 § 1.

SECT. 13A added, 1932, 289 § 5 (provisions relative to bonds of city clerks). [For prior legislation, see G. L. chapter 140 § 148, repealed by 1932, 289 § 6.]

SECT. 13B added, 1954, 139 (relative to the renewal of licenses and permits in certain cities).

SECT. 15A revised, 1949, 136.

SECT. 17 revised, 1954, 83.

SECTS. 18A and 18B added, 1948, 56 (providing that the records of city clerks may be attested by the volume and that a facsimile of the signature of the city clerk shall be valid in certain cases).

SECT. 19, last sentence revised, 1938, 66; same sentence amended, 1945, 245; sentence added at end, 1947, 391.

SECT. 19A added, 1933, 70 § 1 (requiring the filing with the state secretary of certificates of appointment or election of clerks or assistant or temporary clerks of cities or towns, and granting authority to said secretary to authenticate attestations of any such officer). (See 1933, 70 § 2.)

SECTS. 19B-19E added, 1950, 388 (relative to the tenure of office of city and town clerks).

SECT. 21, first paragraph revised, 1953, 101 § 2; last paragraph revised, 1934, 155 § 2. (See 1934, 155 § 4.)

SECT. 23A added, 1956, 145 (providing for the establishment of the office of executive secretary of the selectmen).

SECT. 23B added, 1959, 98 (authorizing the selectmen to make an investigation of any town department).

SECT. 24, paragraph added at end, 1945, 136 § 1; section revised, 1951, 364; 1953, 267 § 2. (See 1945, 136 § 2.)

SECT. 24A repealed, 1937, 129 § 1.

SECT. 25 revised, 1937, 129 § 2.

SECT. 25A revised, 1937, 129 § 3; first sentence revised, 1950, 151; third sentence revised, 1951, 77.

SECT. 26 revised, 1937, 129 § 4.

SECT. 26A added, 1935, 149 (relative to employment of counsel by boards of assessors in certain cases); revised, 1951, 215 § 2.

SECT. 27 revised, 1936, 118 § 1. (See 1936, 118 § 3.)

SECT. 28 amended, 1939, 342 § 2.

SECT. 30A added, 1946, 211 (relative to the effect of a vacancy in the office of assessor).

SECT. 32, sentence added at end, 1950, 793 § 3; section amended, 1959, 141 § 1.

SECT. 33, two sentences added at end, 1950, 793 § 4.

SECT. 35 revised, 1937, 143 § 2; sentence added at end, 1939, 109 § 1.

SECT. 37 revised, 1933, 82 § 2; amended, 1934, 259 § 2.

SECT. 38A amended, 1936, 201; revised, 1941, 211; first sentence revised, 1948, 197.

SECT. 39A added, 1939, 89 (providing for the appointment of assistant treasurers of cities and towns); last sentence revised, 1953, 55.

SECT. 39B added, 1943, 284 (authorizing the suspension and removal of city and town collectors and the appointment of temporary collectors under certain circumstances); first sentence amended, 1951, 256.

SECT. 40 revised, 1937, 143 § 3; sentence inserted before last sentence, 1951, 83.

SECT. 42 revised, 1959, 299.

SECT. 43A added, 1939, 88 (requiring municipalities to indemnify and protect collectors of taxes in the performance of their duties in certain cases); revised, 1941, 99.

SECT. 45A added, 1952, 79 (providing that the selectmen shall be the commissioners of trust funds in certain small towns).

SECT. 46 revised, 1957, 203.

SECT. 49A added, 1948, 211 (providing for the appointment of an assistant by auditors, accountants, and officers having similar duties, of cities and towns).

SECT. 53, last sentence revised, 1948, 84.

SECT. 54A amended, 1936, 62.

SECT. 56 revised, 1950, 55; two sentences inserted after third sentence, 1956, 485.

SECT. 59 amended, 1936, 94.

SECT. 61A revised, 1937, 143 § 4.

SECT. 66 revised, 1934, 155 § 3.

SECTS. 69A and 69B added, 1938, 172 § 4 (relative to the establishment and powers and duties of boards of water commissioners in certain towns).

SECTS. 69C-69F added, 1953, 101 § 1 (relative to the establishment in towns of a department of public works exercising the powers of certain other departments and town officers).

SECT. 69E amended, 1954, 45.

SECT. 70, first paragraph amended, 1957, 273 § 1; paragraph added at end, 1936, 211 § 1; amended, 1947, 340 § 1. (See 1936, 211 § 7.)

SECT. 71 amended, 1943, 266; 1953, 409 § 6.

SECT. 72 revised, 1936, 211 § 2; first sentence amended, 1947, 340 § 2; 1953, 674 § 1. (See 1936, 211 § 7.)

SECT. 73, paragraph added at end, 1936, 211 § 3; amended, 1947, 340 § 3; two sentences added at end, 1953, 674 § 8. (See 1936, 211 § 7.)

SECTS. 81A-81J added, under caption "IMPROVED METHOD OF MUNICIPAL PLANNING", 1936, 211 § 4. (See 1936, 211 § 7.)

SECT. 81A, last paragraph revised, 1938, 113.

SECTS. 81A-81J stricken out and sections 81A to 82Y inserted, 1947, 340 § 4.

SECT. 81A, fourth sentence amended, 1957, 273 § 2; seventh sentence revised, 1959, 143.

SECT. 81B amended and paragraph added at end, 1953, 674 § 2.

SECT. 81C amended, 1953, 409 § 7.

SECT. 81D, sentence inserted after second sentence, 1954, 643 § 1.

SECT. 81E, two sentences and two paragraphs added at end, 1953, 674 § 3.

SECT. 81F, sentence inserted after third sentence, 1957, 235; sentence added at end, 1953, 674 § 4.

SECT. 81G revised, 1953, 674 § 5.

SECT. 81J, first sentence amended and sentence inserted after third sentence, 1953, 674 § 6; section revised, 1956, 279.

SECTS. 81K to 81Y stricken out and sections 81K to 81GG inserted, under caption "Subdivision Control", 1953, 674 § 7. (See 1953, 674 § 11.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to sections 81K to 81GG, as so inserted:

SECT. 81L, definition of "Industrial" stricken out, 1955, 411 § 2; definition of "Applicant" inserted, 1957, 163; definition of "Preliminary plan" inserted, 1958, 206 § 1; definition of "Registered mail" inserted, 1957, 138 § 1; definition of "Subdivision" revised, 1956, 282.

SECT. 81M, sentence added at end, 1957, 265.

SECT. 81N, last sentence revised, 1957, 146; 1959, 144.

SECT. 81P, first sentence revised, 1955, 326 § 1; 1957, 293 § 1; sentence added at end, 1955, 326 § 2; paragraph added at end, 1957, 293 § 2.

SECT. 81Q, first sentence revised, 1955, 370; 1957, 139; two sentences inserted after the third sentence, 1959, 410; sentence added at end, 1956, 307; 1958, 206 § 3.

SECT. 81R, second paragraph stricken out, 1955, 411 § 1.

SECT. 81S, second sentence revised, 1957, 138 § 2; section revised, 1958, 206 § 2; 1959, 189.

SECT. 81T, second sentence amended, 1957, 122.

SECT. 81U, last sentence revised, 1955, 324; section revised, 1958, 377 § 1. (See 1958, 377 § 2.)

SECT. 81X amended, 1958, 207.

SECT. 81Z, third sentence stricken out and two sentences inserted, 1957, 134; last paragraph amended, 1958, 201.

SECT. 81BB, paragraph added at end, 1955, 348; section revised, 1957, 199 § 2.

SECT. 86 amended, 1939, 261 § 5.

SECT. 87A added, 1954, 386 (providing for the appointment of certain employees of the registry of motor vehicles as weighers and measurers).

SECT. 87B added, 1956, 200 (providing for the appointment of certain employees of the department of public utilities as weighers and measurers).

SECT. 90A added, 1957, 178 (providing a penalty for interfering with a public weigher of fish or his deputies, in the performance of their official duties).

SECT. 91B added, 1933, 128 (further regulating the appointment of constables).

SECT. 96A added, 1938, 342 (disqualifying felons from appointment to the police forces or departments of cities, towns and districts).

SECT. 97A added, 1948, 540 (relative to the establishment of police departments in certain towns); revised, 1948, 595.

SECT. 98 amended, 1953, 319 § 9; third sentence revised, 1954, 162 § 1; 1957, 688 § 1. (See 1953, 319 §§ 39, 40.)

SECT. 99 amended, 1932, 124; revised, 1951, 214; amended, 1958, 53.

SECT. 100, sentence added at end, 1933, 324 § 3; section amended, 1938, 298; revised, 1945, 670; second sentence revised, 1950, 337; sentence inserted after second sentence, 1950, 398; sentence inserted before last sentence, 1950, 550; same sentence amended, 1955, 168; revised, 1958, 267; last sentence revised, 1950, 412 § 1; paragraph added at end, 1957, 342. (See 1950, 412 § 2.)

SECT. 100A amended, 1933, 318 § 4; 1934, 291 § 3; 1945, 391 § 1; 1949, 128. (See 1933, 318 §§ 8, 9; 1934, 291 § 6; 1945, 391 § 3.)

SECT. 100B added, 1953, 628 § 1 (providing for the indemnification by cities and towns of certain retired police officers and fire fighters for certain hospital, medical and surgical expenses). (See 1953, 628 § 2.)

SECT. 100C added, 1959, 451 (providing for the indemnification of public school teachers against certain actions and claims).

SECT. 105 amended, 1936, 132 § 2; sentence added at end, 1954, 627 § 17. (See 1954, 627 §§ 65, 67.)

SECT. 107, second sentence revised, 1953, 44; 1955, 123.

SECT. 108 revised, 1947, 540 § 1.

SECT. 108A added, 1947, 540 § 2 (authorizing cities and towns to establish salary plans for certain employees thereof); revised, 1948, 351.

SECT. 108B added, 1949, 235 (providing for additional compensation and expenses for assessors and collectors in towns for assessing and collecting district taxes).

SECT. 108C added, 1954, 295 § 2 (relative to rules and regulations promulgated in connection with compensation plans for municipal officers and employees and municipal personnel administration).

SECT. 108D added, 1958, 621 (establishing a minimum annual compensation for fire fighters in certain cities and towns).

SECT. 108E added, 1959, 228 (establishing a minimum annual compensation for police officers in certain cities and towns).

SECT. 110, sentence added at end, 1950, 242.

SECT. 110A added, 1947, 265 (authorizing the closing of public offices in cities and towns on Saturdays).

SECT. 111 revised, 1932, 109; amended, 1936, 242; revised, 1937, 15; 1941, 368; fourth sentence stricken out and two sentences inserted, 1943, 280; first paragraph revised, 1946, 301; same paragraph stricken out and three paragraphs inserted, 1948, 330 § 1; same three paragraphs stricken out and one paragraph inserted, 1949, 475 § 1; same paragraph revised, 1951, 242 § 1. (See 1948, 330 § 2; 1951, 242 § 2.)

SECT. 111A amended, 1934, 107; revised, 1949, 172; first sentence stricken out and two sentences inserted, 1956, 46.

SECT. 111B added, 1945, 156 (providing sick leaves for laborers, workmen and mechanics regularly employed by certain cities and towns); amended, 1946, 187; sentence added at end, 1949, 686.

SECT. 111C added, 1945, 348 (authorizing attendance at funerals or memorial services of war veterans by certain municipal employees without loss of pay); revised, 1953, 179.

SECT. 111D added, 1949, 384 (relative to vacations without loss of pay for regular members of police and fire forces in certain cities and towns). See 1950, 36 § 1.

SECT. 111E added, 1949, 475 § 2 (providing for payment of compensation to certain municipal employees and their beneficiaries in lieu of vacations in certain cases); amended, 1953, 436 § 2; revised, 1954, 13; sentence added at end, 1956, 45.

SECT. 111F added, 1952, 419 (providing injured leave for certain incapacitated police officers and fire fighters); sentence added at end, 1958, 266.

SECT. 111G added, 1952, 488 (relative to annual vacations for certain employees of certain cities and towns).

SECT. 111H added, 1953, 293 (relative to overtime service by police officers of cities and towns); revised, 1954, 573 § 1. (See 1954, 573 § 2.)

SECT. 111I added, 1953, 436 § 3 (relative to the payment of salaries, wages or other sums owing by cities and towns upon the death of their officers and employees); revised, 1954, 562 § 3. (See 1953, 436 § 7.)

SECT. 112 revised, 1954, 627 § 18. (See 1954, 627 §§ 65, 67.)

SECT. 112A added, 1947, 276 (regulating the separation from the service of certain cities and towns of certain war veterans holding unclassified offices or positions).

SECT. 119, two sentences added at end, 1950, 137; paragraph added at end, 1950, 779.

SECT. 120 added, 1949, 133 § 1 (establishing the financial year of fire, water, light and improvement districts). (See 1949, 133 § 2.)

SECT. 121 added, 1950, 211 (requiring the treasurer of fire, water, light and improvement districts to be bonded).

Chapter 42. — Boundaries of Cities and Towns.

Boundary line between Saugus and Wakefield (portion) established, 1933, 298; between Woburn and Reading (portion) established, 1934, 177; between Oak Bluffs and Tisbury (portion) established, 1935, 145; between Brewster and Orleans (portion) established, 1935, 356; between Middleton and Topsfield established, 1936, 96; between Foxborough and Walpole established, 1937, 140; between Edgartown and Oak Bluffs (por-

tion) established, 1937, 265; between Arlington and Belmont (portion) established, 1938, 371; between Rochester and Wareham and between Marion and Wareham (portion) established, 1939, 279; between Fitchburg and Leominster (portion) established, 1941, 37, 698; between Bellingham and Franklin established, 1941, 641; between Chicopee and Springfield (portion) established, 1945, 274; between Brewster and Dennis and between Dennis and Harwich, 1945, 599; between Reading and Lynnfield (portion) established, 1947, 243; between Dennis and Harwich established, 1947, 372.

SECT. 1 revised, 1933, 278 § 3.

Chapter 43. — City Charters.

SECT. 1, definition of "Plan D" revised, 1948, 459 § 1; three paragraphs inserted after word "inclusive" in line 22, 1938, 378 § 1; definition of "Plan F" inserted, 1959, 448 § 1.

SECT. 5, paragraph added at end, 1938, 378 § 2; same paragraph revised, 1948, 459 § 2.

SECT. 7 amended, 1939, 451 § 8; revised, 1948, 459 § 3; paragraph added at end, 1954, 67.

SECT. 8, form of petition revised, 1938, 378 § 3; amended, 1948, 459 § 4; section revised, 1959, 448 § 2.

SECT. 9 revised, 1941, 640 § 1; 1948, 459 § 5; 1954, 155; first sentence amended, 1959, 448 § 3. (See 1941, 640 § 7.)

SECT. 9A added, 1959, 448 § 4 (proceedings after filing of petition for the adoption of Plan F).

SECT. 10, paragraph added at end, 1938, 378 § 4.

SECT. 11 revised, 1941, 640 § 2. (See 1941, 640 § 7.)

SECT. 12 amended, 1959, 268.

SECT. 15 amended, 1933, 313 § 7; last paragraph amended, 1938, 378 § 5; section revised, 1941, 640 § 3. (See 1941, 640 § 7.)

SECT. 16 revised, 1959, 448 § 5.

SECT. 16A added, 1959, 448 § 6 (city primary and election under Plan F, and nomination of candidates).

SECT. 17 revised, 1938, 378 § 6.

SECT. 17A added, 1952, 259 § 2 (relative to salaries of certain mayors, city councillors and city managers); amended, 1958, 72 § 2; sentence added at end, 1958, 513 § 2; 1959, 448 § 7.

SECT. 17B added, 1959, 448 § 8 (salary of mayor and members of city council under Plan F).

SECT. 18, paragraph 2, third sentence revised, 1958, 626 § 5; paragraph 4 inserted, 1938, 378 § 7; amended, 1949, 723 § 1.

SECT. 19 revised, 1938, 378 § 8; amended, 1948, 459 § 6.

SECT. 23 amended, 1935, 68 § 1.

SECT. 26, first paragraph revised, 1937, 224 § 1; amended, 1938, 378 § 9; 1959, 448 § 9.

SECT. 28 amended, 1951, 25 § 1.

SECT. 29 revised, 1938, 378 § 10; first sentence revised, 1949, 723 § 2; amended, 1951, 25 § 2; section revised, 1959, 448 § 10.

SECT. 30 revised, 1938, 378 § 11; first sentence revised, 1948, 459 § 7; 1959, 448 § 11.

SECT. 31 amended, 1938, 378 § 12; 1959, 448 § 12.

SECT. 32 amended, 1949, 318.

SECT. 35, first sentence revised, 1958, 626 § 6.

SECT. 36 revised, 1938, 378 § 13.

SECT. 42 amended, 1935, 68 § 2.

SECT. 44A amended, 1933, 313 § 8; last two sentences stricken out, and paragraph added at end, 1934, 30; first paragraph revised, 1938, 378 § 14; amended, 1959, 448 § 13; last sentence of first paragraph stricken out, 1941, 640 § 4. (See 1941, 640 § 7.)

SECT. 44C, first paragraph amended, 1937, 147; 1943, 229 § 1.

SECT. 4411 amended, 1932, 180 § 7; 1941, 640 § 5. (See 1941, 640 § 7.)

SECT. 46 amended, 1939, 451 § 9.

SECT. 50A added, 1936, 135 (relative to the filling of vacancies in the city council in cities having a Plan A form of charter).

SECT. 51 repealed, 1952, 259 § 3.

SECT. 56 amended, 1937, 224 § 2.

SECT. 59A added, 1937, 224 § 3 (relative to the filling of vacancies in the city council in cities having a Plan B form of charter); two paragraphs inserted before first paragraph, 1955, 222.

SECT. 62 repealed, 1952, 259 § 3.

SECT. 71, second sentence revised, 1958, 626 § 7.

SECT. 78 repealed, 1952, 259 § 3.

SECTS. 79-92 stricken out and new sections 79-92A (relative to Plan D form of charter) inserted, 1948, 459 § 8.

SECT. 84, fourth sentence revised, 1958, 626 § 8.

SECT. 87 repealed, 1952, 259 § 3.

SECTS. 93-116 added, under caption, 1938, 378 § 15 (providing an additional optional standard form of city charter under which substantial control of the city government is vested in a city council elected at large by proportional representation, with a city manager appointed and removable at pleasure by the city council).

SECTS. 93-116 repealed in so far as they provide for election by proportional representation of city councils and school committees, 1949, 661 § 1; 1952, 281 § 1. (See 1949, 661 §§ 1A-3; 1952, 281 § 2; 1953, 118.)

SECT. 98, fourth sentence revised, 1958, 626 § 9.

SECT. 100 amended, 1941, 722 § 5.

SECT. 101 repealed, 1952, 259 § 3.

SECT. 102 amended, 1941, 722 § 6.

SECT. 103, first paragraph amended, 1950, 353.

SECT. 110, first paragraph amended, 1949, 181; form of petition amended, 1941, 722 § 7.

SECT. 114, last sentence revised, 1952, 78.

SECTS. 117-127 added, under caption, 1959, 448 § 14 (establishing an additional optional standard form of city charter under which the city government is vested in a mayor and a city council elected partly at large and partly by wards, said mayor and city councillors being nominated in party primaries).

Chapter 43A. — Standard Form of Representative Town Meeting Government.

SECT. 3, first paragraph amended, 1937, 267 § 2.

SECT. 4, first paragraph amended, 1936, 128.

SECT. 6 revised, 1943, 1 § 1; 1943, 453 § 4; amended, 1945, 359; next to last sentence amended, 1947, 291. (See 1943, 1 § 2.)

SECT. 8, first sentence revised, 1943, 453 § 5.

Chapter 44. — Municipal Finance.

For temporary legislation establishing an emergency finance board in the department of the state treasurer, and providing for the borrowing of money by cities and towns against certain tax titles, see 1933, 49, 104; 1935, 221, 300, 456; 1936, 281; 1938, 57; 1939, 288, 496; 1941, 129; 1943, 413; 1945, 324; 1947, 206; 1949, 79; 1951, 438; 1953, 467; 1955, 262, 726.

For legislation enabling cities and towns to secure the benefits provided by the federal government to assist them in public works projects, see 1945, 74; 1947, 526; 1949, 327. [For prior legislation, see 1933, 366; 1934, 21; 1935, 213, 404; 1946, 64, 83, 414; 1937, 159; 1938, 50, 82; 1939, 423; 1941, 639; 1943, 58.]

For emergency legislation authorizing cities and towns to make certain appropriations during the existing state of war, see 1943, 5 §§ 1, 6; 75 §§ 1, 2, 4, 5; 1946, 10. [For prior legislation, see 1941, 437; 1942, 4.]

For legislation authorizing the renewal by cities and towns of certain temporary revenue loans, see 1947, 108; 1949, 134.

For legislation relative to the collection of certain taxes and other charges due to the commonwealth, see 1943, 568; 1945, 325, 712; 1946, 615.

For legislation authorizing cities and towns to borrow, in the years 1935 to 1948, inclusive, on account of public welfare and veterans' benefits (and in certain of said years for additional specified purposes), see 1935, 188; 1936, 80; 1937, 107; 1938, 58; 1939, 72, 453; 1941, 92; 1943, 44; 1945, 73; 1946, 584 § 17; 1947, 611; 1949, 90; 1951, 108; 1953, 479; 1955, 18, 726; 1957, 252.

For legislation regulating the use of receipts from the sale by cities and towns of federal surplus commodity stamps, 1941, 65.

For legislation authorizing cities and towns to borrow for remodeling, reconstructing or making extraordinary repairs to public buildings, see 1948, 275; 1957, 226.

SECT. 1, definition of "Revenue" revised, 1946, 358 § 10.

SECT. 2 revised, 1936, 224 § 4; amended, 1946, 358 § 11. (See 1936, 224 §§ 11, 12.)

SECT. 4 amended, 1934, 11 § 1; affected, 1934, 11 §§ 2, 3; amended, 1936, 16; 1946, 358 § 12; 1947, 298 § 2.

SECT. 4A added, 1935, 68 § 3 (temporary loans by cities in anticipation of revenue exempted from charter provisions relative to publication and referendum).

SECT. 5 amended, 1939, 37.

SECT. 5A amended, 1935, 68 § 4.

SECT. 5B added, 1943, 61 § 1 (relative to borrowing for liabilities incurred by districts prior to the annual appropriations).

SECT. 6 revised, 1957, 385.

SECT. 6A, temporarily affected, 1956, 412.

SECT. 7 amended, 1936, 224 § 5; first paragraph amended, 1946, 358 § 13; 1947, 207 § 1; 1948, 275 § 3; revised, 1951, 54, 181 § 1; clause (1A)

added, 1957, 219; clause (2A) added, 1955, 716 § 2; amended, 1959, 73 § 2; clause (2B) added, 1956, 596 § 2; clause (3A) added, 1947, 207 § 2; repealed, 1948, 275 § 4; clause (4A) added, 1955, 85 § 2; clause (5) revised, 1947, 101; amended, 1951, 282 § 1; clause (6) amended, 1951, 282 § 2; clause (12) repealed, 1946, 358 § 14; clause (14) revised, 1953, 100; clause (15) added, 1948, 383; clause (16) added, 1951, 181 § 2; amended, 1952, 38. (See 1936, 224 §§ 11, 12.)

SECT. 8, clause (3) revised, 1938, 172 § 5; clause (4) revised, 1958, 383 § 1; clause (5) revised, 1941, 83; amended, 1952, 123 § 1; revised, 1958, 383 § 2; clause (6) amended, 1952, 123 § 2; clause (7A) added, 1957, 224; clause (8) amended, 1958, 70 § 1; clause (9) amended, 1939, 457; 1947, 298 § 3; clause (13) added, 1946, 358 § 15; amended, 1947, 298 § 4; revised, 1957, 431; clause (14) added, 1954, 106. (See 1952, 123 § 3.)

SECT. 8A added, 1939, 108 § 1 (providing for submitting to the voters of certain cities the question of approving or disapproving orders authorizing the issue of bonds, notes or certificates of indebtedness for certain purposes). (See 1939, 108 § 2.)

SECT. 9 amended, 1941, 376; 1946, 384 § 1; first paragraph amended, 1950, 169; paragraph added at end, 1947, 298 § 5.

SECT. 10 amended, 1936, 224 § 6; 1939, 24 § 1; 1946, 329; second sentence revised, 1950, 51; section revised, 1952, 56; second sentence revised, 1959, 99. (See 1936, 224 §§ 11, 12.)

SECT. 11 amended, 1936, 224 § 7. (See 1936, 224 §§ 11, 12.)

SECT. 12 amended, 1936, 224 § 8; repealed, 1946, 358 § 16. (See 1936, 224 §§ 11, 12.)

SECT. 13 revised, 1946, 358 § 17; paragraph added at end, 1948, 5.

SECT. 13A added, 1943, 61 § 2 (relative to the incurring of liabilities by districts prior to the annual appropriations).

SECT. 16, first sentence stricken out and two sentences inserted, 1956, 98; last sentence stricken out, 1936, 224 § 10. (See 1936, 224 §§ 11, 12.)

SECT. 16A added, 1957, 58 § 1 (authorizing the use of facsimile counter-signatures on bonds, notes and certificates of indebtedness issued by certain cities).

SECT. 17 amended, 1946, 358 § 18.

SECT. 18 amended, 1946, 358 § 19.

SECT. 19 amended, 1946, 358 § 20.

SECT. 20 amended, 1946, 358 § 21; revised, 1947, 60; sentence added at end, 1949, 403.

SECT. 21 amended, 1946, 358 § 22.

SECT. 22 amended, 1936, 224 § 9. (See 1936, 224 §§ 11, 12.)

SECT. 26 amended, 1951, 265.

SECT. 28A added, 1951, 16 (making certain provisions of municipal finance laws applicable to regional school districts): revised, 1957, 262 § 1. (See 1957, 262 § 2.)

SECT. 29. As to tax limit of Boston, see 1932, 125; 1933, 159; 1934, 201; 1935, 284; 1936, 224.

SECT. 31 revised, 1946, 358 § 23; 1949, 138; first sentence revised, 1955, 259; sentence added at end, 1954, 46.

SECT. 31A added, 1941, 473 § 1 (relative to budgets in certain cities); amended, 1953, 654 § 3.

SECT. 31B added, 1950, 173 (relative to the liabilities which may be incurred by fire, water, light and improvement districts).

SECT. 32, paragraphs added at end, 1938, 175 § 1, 378 § 16; section revised, 1941, 473 § 2; subdivision (2) of first paragraph amended, 1953, 51; paragraph added at end, 1953, 79.

SECT. 33 revised, 1941, 473 § 3.

SECT. 33A stricken out and new sections 33A and 33B inserted, 1943, 62 (amending and clarifying the law relative to budgets in cities).

SECT. 33A revised, 1947, 298 § 1; sentence added at end, 1950, 370; section revised, 1955, 358.

SECT. 33B, two sentences added at end, 1951, 798 § 6. (See 1951, 798 § 8.)

SECT. 34 revised, 1938, 170; paragraph added at end, 1941, 93.

SECT. 35 amended, 1941, 454; revised, 1951, 17 § 1.

SECT. 40 amended, 1939, 339; first sentence amended, 1945, 29 § 1; sentence inserted after first sentence, 1947, 298 § 6; section revised, 1948, 82; 1951, 17 § 2. (See 1945, 29 § 2; repealed by 1946, 109.)

SECT. 41 revised, 1946, 432 § 4.

SECT. 43, two sentences added at end, 1951, 276.

SECT. 46 amended, 1953, 654 § 4.

SECT. 46A added, 1932, 155 (making permanent certain provisions of law relative to investigations of municipal accounts and financial transactions by the director of accounts). [For prior temporary legislation, see 1926, 210; 1929, 335.]

SECT. 51 amended, 1934, 355; repealed, 1938, 458.

SECT. 54 amended, 1933, 200; 1946, 358 § 24; revised, 1948, 194 § 1; 1949, 243; amended, 1953, 83; 1954, 47.

SECT. 55, sentence added at end, 1948, 143 § 1; 1951, 59; section revised, 1953, 103.

SECT. 55A revised, 1948, 143 § 2, 194 § 2; 1950, 224; amended, 1954, 48.

SECT. 56A added, 1934, 229 § 1 (relative to the financial year of cities). (See 1934, 229 §§ 2, 3.)

SECT. 58 amended, 1951, 15.

SECT. 63 amended, 1946, 358 § 25.

SECT. 63A added, 1955, 247 (providing for a payment in lieu of taxes in the event of a sale of real estate by a city or town). (See 1955, 401.)

SECT. 64 added, 1941, 179 (authorizing towns to appropriate money for the payment of certain unpaid bills of previous years).

SECT. 65 added, 1945, 635 § 3 (providing for advances of their vacation pay to officers and employees of cities and towns).

SECT. 66 added, 1956, 21 (authorizing advances to municipal officers and employees on account of certain necessary expenses).

Chapter 45. — Public Parks, Playgrounds and the Public Domain.

SECT. 2 amended, 1941, 10 § 1.

SECT. 14 revised, 1949, 256; second sentence stricken out and two sentences inserted, 1955, 96.

SECT. 17A added, 1938, 220 (authorizing cities and towns to use certain ways therein for playground purposes); revised, 1953, 80; 1955, 1.

SECT. 18 revised, 1954, 131.

Chapter 46. — Return and Registry of Births, Marriages and Deaths.

SECT. 1, third sentence of second paragraph revised, 1933, 280 § 1; fourth paragraph amended, 1941, 51; revised, 1954, 627 § 23. (See 1954, 627 §§ 65, 67.)

SECT. 1A added, 1939, 61 § 1 (further regulating the making and recording of certificates of birth of certain abandoned children and foundlings).

SECTS. 1B and 1C added, 1952, 72 (relative to filing evidence of certain births and deaths occurring without the commonwealth).

SECT. 2A added, 1933, 279 (regulating the impounding of birth records of children born out of wedlock); amended, 1937, 78 § 1; revised, 1939, 269 § 1; amended, 1954, 324.

SECT. 3, first sentence revised, 1957, 24; first paragraph amended, 1955, 95 § 1; 1959, 48 § 1; paragraph added at end, 1939, 326 § 1. (See 1959, 48 § 3.)

SECT. 4A added, 1941, 434 (providing for the verification of returns of births).

SECT. 6 revised, 1939, 61 § 2.

SECT. 7A added, 1950, 22 (requiring reports of births in airplanes).

SECT. 9 amended, 1936, 100; 1945, 113; sentence inserted after first sentence, 1954, 137; revised, 1959, 48 § 2. (See 1959, 48 § 3.)

SECT. 10 revised, 1954, 627 § 24. (See 1954, 627 §§ 65, 67.)

SECT. 11, second sentence stricken out, 1955, 95 § 2.

SECT. 12 amended, 1937, 78 § 2; revised, 1945, 439.

SECT. 13, paragraph in first to sixth lines amended, 1939, 61 § 3; second paragraph amended, 1933, 280 § 2; second paragraph stricken out and two new paragraphs inserted, 1938, 63; first paragraph so inserted revised, 1943, 72 § 2; paragraph in eighteenth and nineteenth lines, as appearing in Tercentenary Edition, amended, 1938, 97; revised, 1953, 261 § 1; 1955, 107 § 3; 1959, 146; fourth paragraph, as so appearing, amended, 1941, 50; same paragraph amended, 1945, 65; 1953, 261 § 2; revised, 1955, 107 § 4; 1956, 342; paragraph added at end, 1939, 61 § 4; paragraph added at end, 1948, 550 § 2.

SECT. 13A added, 1945, 542 (providing for the recording of certain births upon the determination of facts relating thereto by a probate court).

SECT. 16 amended, 1941, 351 § 4; 1958, 613 § 2B; sentence added at end, 1955, 107 § 5.

SECT. 17 revised, 1932, 12; amended, 1939, 269 § 2.

SECT. 18 revised, 1957, 95.

SECT. 19 revised, 1943, 228 § 1; amended, 1945, 570 § 1; sentence added at end, 1950, 366. (See 1943, 228 § 2; 1945, 570 § 2.)

SECT. 20 revised, 1941, 351 § 5; amended, 1958, 613 § 2C.

SECT. 26 amended, 1939, 326 § 2; first sentence revised, 1947, 233.

Chapter 48. — Fires, Fire Departments and Fire Districts.

For legislation enabling districts to secure the benefits provided by the federal government to assist them in public works projects, see 1945, 74; 1947, 526. [For prior legislation, see 1933, 366; 1934, 21; 1935, 213, 404; 1936, 64, 83, 414; 1937, 159; 1938, 50, 82; 1939, 423; 1941, 639; 1943, 58.]

For legislation authorizing districts to borrow, in the years 1935 to

1944, inclusive, on account of public welfare and soldiers' benefits (and in certain of said years for additional specified purposes), see 1935, 188; 1936, 80; 1937, 107; 1938, 58; 1939, 72, 453; 1941, 92; 1943, 41.

For legislation authorizing the renewal by districts of certain temporary revenue loans, see 1947, 108.

For emergency legislation authorizing districts to make certain appropriations during the existing state of war, see 1943, 5 §§ 1, 6, 75 §§ 1, 2, 4, 5; 1946, 10. [For prior legislation, see 1941, 587; 1942, 4.]

SECT. 8 amended, 1941, 490 § 10; revised, 1954, 104.

SECT. 13 amended, 1938, 204; revised, 1941, 581; 1945, 269; amended, 1951, 274.

SECT. 15 amended, 1932, 180 § 8; 1941, 490 § 11.

SECT. 16 revised, 1943, 103 § 1; amended, 1952, 222.

SECT. 18 revised, 1943, 103 § 2.

SECT. 20A repealed, 1950, 442.

SECT. 24 amended, 1953, 535 § 3; third sentence amended, 1956, 590.

SECT. 28A amended, 1941, 490 § 12; revised, 1953, 496.

SECT. 28B revised, 1953, 535 § 4.

SECT. 28C added, 1948, 131 (providing for the closing of privately owned forest lands during periods of fire hazard).

SECT. 36A added, 1948, 159 § 1 (providing for the promotion of certain call firemen to membership in the permanent fire force in certain cities and towns).

SECT. 37 revised, 1948, 149 § 2.

SECT. 51A added, 1948, 337 § 1 (providing for the furnishing of gas masks for the use of members of fire departments); second paragraph revised, 1949, 467 § 1. (See 1948, 337 § 2; 1949, 467 § 2.)

SECT. 57A added, 1953, 640 (relative to additional pay or time off for fire fighters and others who are required to work on legal holidays).

SECT. 57B added, 1959, 285 § 1 (granting time off without loss of pay to delegates to the state convention of the Associated Fire Fighters of Massachusetts AFL-CIO).

SECT. 58A added, 1941, 638 (further regulating the hours of duty of permanent members of fire departments in certain cities and towns).

SECT. 58B added, 1945, 413 § 1 (further regulating the hours of duty of permanent members of fire departments in certain cities and towns); second paragraph amended, 1955, 151; section revised, 1957, 713 § 1; second paragraph revised, 1958, 279. (See 1945, 413 § 2; 1946, 114, 371, 436, 597; 1947, 64, 200.)

SECT. 58C added, 1955, 195 (authorizing compensation for overtime service by fire fighters of cities and towns); revised, 1956, 206.

SECT. 59, fifth paragraph revised, 1955, 150.

SECT. 59A amended, 1949, 77.

SECT. 59E added, under caption, 1939, 419 § 1 (providing for the ultimate abolition of reserve fire forces in certain cities and towns).

SECT. 65 revised, 1956, 95.

SECT. 66 revised, 1950, 121.

SECT. 69 revised, 1959, 91.

SECT. 70 repealed, 1950, 170.

SECT. 79 revised, 1948, 133; first sentence amended, 1951, 392.

SECT. 88 added, 1959, 367 (providing that a fire fighter in certain cities and towns shall not be required to perform the duties of a police officer).

Chapter 49. — Fences, Fence Viewers, Pounds and Field Drivers.

SECT. 6 revised, 1948, 550 § 3.

SECT. 10 amended, 1951, 143 § 2.

SECT. 26 revised, 1957, 233.

SECT. 29 amended, 1951, 143 § 1.

SECT. 36 revised, 1948, 550 § 4.

**Chapter 49A. — Use of Certain Animals for Scientific Investigation,
Experiment or Instruction.**

New chapter inserted, 1957, 298 § 1.

**Chapter 50. — General Provisions relative to Primaries, Caucuses and
Elections.**

SECT. 1. "Ballot labels" defined, 1941, 511 § 1; "City election" defined, 1943, 453 § 6; "Official ballot" defined, 1941, 511 § 2; "Political committee" defined, 1943, 318 § 5; amended, 1954, 224; definition of "Political party" amended, 1951, 805 § 4; "State officer" defined, 1943, 453 § 7; "Town officer" defined, 1943, 453 § 8. (See 1951, 805 §§ 6, 7.)

SECT. 2 amended, 1932, 141 § 1; sentence added at end, 1938, 341 § 4.

SECT. 3A added, 1947, 37 (relative to the placing on nomination papers of acceptances of nominations); revised, 1953, 26.

SECT. 4, paragraph added at end, 1947, 30 § 2.

SECT. 6A added, 1948, 15 § 3 (providing for the filling of vacancies in certain elective offices in case of the retirement of an incumbent by reason of superannuation prior to the next regular election).

SECT. 8 amended, 1943, 453 § 9.

Chapter 51. — Voters.

For legislation providing for a state wide verification of voting lists, see 1938, 427; repealed and superseded by 1939, 450; amended, 1943, 537; 1945, 127.

SECT. 1, first paragraph revised, 1943, 453 § 10; section amended, 1954, 627 § 19; paragraph added at end, 1932, 206. (See 1954, 627 §§ 65, 67.)

SECT. 2 amended, 1933, 254 § 3; revised, 1945, 310. (See 1933, 254 § 66.)

SECT. 3 amended, 1933, 254 § 4; revised, 1943, 453 § 11. (See 1933, 254 § 66.)

Heading before section 4 revised, 1943, 453 § 12.

SECT. 4 amended, 1933, 254 § 5; first paragraph revised, 1935, 345 § 1; amended, 1937, 1 § 1; revised, 1938, 186 § 1; section revised, 1938, 440 § 2; section amended, 1943, 453 § 13; last paragraph revised, 1947, 26; section amended, 1955, 67 § 1. (See 1933, 254 §§ 65, 66; 1937, 226; 1938, 186 § 5, 440 § 23.)

SECT. 5 revised, 1938, 440 § 3; 1939, 188 § 1. (See 1938, 440 § 23.)

SECT. 6 revised, 1938, 440 § 4; 1939, 188 § 2; next to last sentence revised, 1949, 196. (See 1938, 440 § 23.)

SECT. 7 amended, 1933, 254 § 6; revised, 1935, 345 § 2; amended, 1938, 440 § 5; revised, 1939, 188 § 3; amended, 1955, 67 § 2; 1959, 137. (See 1933, 254 §§ 65, 66; 1938, 440 § 23.)

SECT. 8 amended, 1933, 254 § 7; 1937, 1 § 2; revised, 1938, 186 § 2, 440 § 6. (See 1933, 254 § 66; 1938, 186 § 5, 440 § 23.)

SECT. 9 amended, 1933, 254 § 8; revised, 1938, 440 § 7. (See 1933, 254 § 66; 1938, 440 § 23.)

SECT. 10 amended, 1938, 440 § 8; repealed, 1943, 453 § 14. (See 1938, 440 § 23.)

SECTS. 10A and 10B added, 1939, 369 § 1 (providing for the securing of information relative to persons residing at inns, lodging houses and public lodging houses); sections stricken out and new section 10A inserted, 1943, 320 § 1; revised, 1955, 176.

SECT. 11 revised, 1938, 440 § 9. (See 1938, 440 § 23.)

SECT. 12 revised, 1938, 440 § 10; sentence added at end, 1945, 715 § 1. (See 1938, 440 § 23.)

SECT. 13 repealed, 1943, 453 § 15.

SECT. 14A revised, 1938, 440 § 11. (See 1938, 440 § 23.)

SECT. 14B added, 1933, 254 § 9 (amending special acts relative to the listing of voters in certain municipalities so as to conform to the change in taxing date from April 1 to January 1); revised, 1938, 440 § 12; amended, 1943, 453 § 16. (See 1933, 254 §§ 65, 66; 1938, 440 § 23.)

SECT. 15 amended, 1959, 127 § 2.

SECT. 16 repealed, 1959, 127 § 1.

SECT. 16A added, 1955, 218 (authorizing the establishment of boards of election commissioners and defining their powers and duties); amended, 1956, 723 § 1.

SECT. 18 amended, 1950, 142.

SECT. 20 revised, 1943, 453 § 17.

SECT. 22 amended, 1938, 280; revised, 1943, 453 § 18; amended, 1950, 172.

SECT. 22A added, 1945, 715 § 2 (providing for registration as voters of persons who are physically unable to apply in person); revised, 1946, 196 § 1.

SECT. 23 amended, 1943, 453 § 19; revised, 1945, 715 § 3.

SECT. 24 amended, 1950, 177.

SECT. 26 amended, 1932, 48 § 1; 1935, 37 § 1; 1938, 473 § 2; 1943, 453 § 20; revised, 1947, 34 § 1; sentence inserted before last sentence, 1948, 42.

SECT. 27 revised, 1932, 48 § 2; amended, 1935, 37 § 2; 1938, 473 § 3; amended, 1943, 109 § 1; revised, 1943, 453 § 21; 1947, 34 § 2.

SECT. 28 revised, 1947, 34 § 3.

SECT. 29 amended, 1947, 34 § 4; 1956, 134.

SECT. 29A amended, 1943, 109 § 2; revised, 1947, 34 § 5.

SECT. 29B added, 1938, 179 (providing for sessions of registrars of voters in all the wards of every city prior to each biennial state election); amended, 1943, 453 § 22; 1947, 34 § 6.

SECT. 30, first sentence amended, 1943, 453 § 23; section revised, 1947, 34 § 7.

SECT. 32 amended, 1933, 254 § 10. (See 1933, 254 § 66.)

SECT. 33, paragraph added at end, 1945, 246; revised, 1946, 160.

SECT. 34 amended, 1933, 254 § 11. (See 1933, 254 § 66.)

SECT. 35 revised, 1938, 440 § 13; amended, 1939, 451 § 10; sentence added at end, 1947, 244 § 1. (See 1938, 440 § 23.)

SECT. 36 amended, 1933, 254 § 12; 1955, 67 § 3; paragraph added at end, 1943, 453 § 24. (See 1933, 254 § 66.)

SECT. 37 amended, 1933, 254 § 13; revised, 1938, 440 § 14; fourth sentence amended, 1939, 369 § 2; 1943, 320 § 2; last sentence stricken out, 1941, 328 § 2; section revised, 1943, 453 § 25. (See 1933, 254 § 66; 1938, 440 § 23.)

SECT. 38 revised, 1943, 453 § 26.

SECT. 39 amended, 1938, 440 § 15. (See 1938, 440 § 23.)

SECT. 41 revised, 1943, 453 § 27.

SECT. 41A added, 1941, 328 § 1 (ensuring that certain laws relative to registration of persons residing at inns and lodging houses are of general application); revised, 1943, 320 § 3.

SECT. 42 revised, 1945, 715 § 4.

SECT. 42A added, 1945, 715 § 5 (relative to registration as voters of persons who are physically unable to apply in person); revised, 1946, 196 § 2.

SECT. 42B added, 1959, 332 (providing for registration sessions in certain factories and mills).

SECT. 43 amended, 1933, 254 § 14; revised, 1938, 440 § 16. (See 1933, 254 § 66; 1938, 440 § 23.)

SECT. 44 amended, 1943, 453 § 28; revised, 1945, 715 § 6.

SECT. 45 revised, 1943, 108; 1945, 715 § 7.

SECT. 46 revised, 1945, 715 § 8.

SECT. 47 revised, 1945, 715 § 9.

SECT. 50 amended, 1938, 440 § 17; 1945, 378. (See 1938, 440 § 23.)

SECT. 51, paragraph added at end, 1946, 537 § 1. (See 1946, 537 § 12.)

SECT. 55 amended, 1933, 254 § 15; sentence added at end, 1936, 2 § 1; same sentence revised, 1938, 473 § 4; section amended, 1943, 453 § 29; 1950, 193; third and fourth sentences revised, 1949, 212; last sentence revised, 1946, 140 § 15; section revised, 1950, 255. (See 1933, 254 § 66.)

SECT. 57 amended, 1943, 453 § 30.

SECT. 58 revised, 1945, 253.

SECT. 61 amended, 1937, 21 § 1.

SECT. 62 amended, 1943, 453 § 31.

SECT. 63 revised, 1943, 453 § 32.

Chapter 52. — Political Committees.

Chapter stricken out and new chapter inserted, 1938, 346 § 1. (See 1938, 346 §§ 3, 4.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to chapter 52, as so inserted:

SECT. 1, first two paragraphs revised, 1948, 614 § 1; section revised, 1950, 280 § 1; amended, 1955, 138 § 1. (See 1948, 614 §§ 8, 9.)

SECT. 1A added, 1948, 614 § 2 (relative to nominations of candidates for members of state political committees); repealed, 1950, 280 § 2. (See 1948, 614 §§ 8, 9.)

SECT. 2, first sentence amended, 1955, 138 § 2; sentence added at end, 1948, 23; section revised, 1958, 111.

SECT. 4 amended, 1955, 138 § 3.

SECT. 6 revised, 1957, 38.

SECT. 9 revised, 1941, 337 § 1; first sentence revised, 1953, 406 § 1.

Chapter 53. — Nominations, Questions to be submitted to the Voters, Primaries and Caucuses.

SECT. 1 amended, 1939, 371.

SECT. 2 amended, 1932, 310 § 4; last sentence revised, 1934, 32 § 1; section revised, 1938, 473 § 5; 1941, 337 § 2; amended, 1953, 406 § 2. (See 1937, 384, 435.)

SECT. 3 revised, 1936, 116 § 1; amended, 1937, 45 § 1; revised, 1943, 334 § 1; sentence added at end, 1945, 55.

SECT. 5, first paragraph amended, 1954, 31; paragraph added at end, 1947, 141; revised, 1955, 288 § 1.

SECT. 6 amended, 1936, 101; revised, 1939, 191; 1941, 266; amended, 1943, 50; revised, 1943, 334 § 2.

SECT. 7 amended, 1933, 254 § 16; sentence inserted, 1936, 2 § 2; section revised, 1936, 4 § 1; amended, 1937, 25 § 1; 1937, 341 § 5; first and second sentences revised, 1943, 334 § 3; last three sentences revised, 1954, 183 § 2. (See 1933, 254 § 66.)

SECT. 7A added, 1943, 229 § 2 (relative to the certification of nomination petitions for preliminary elections in cities).

SECT. 8, first paragraph amended, 1932, 135 § 4; section amended, 1933, 35 § 1; first sentence amended, 1938, 473 § 6; section revised, 1943, 334 § 4; first paragraph amended, 1955, 288 § 2; 1957, 14; revised, 1957, 278 § 1; second paragraph amended, 1951, 805 § 5. (See 1951, 805 §§ 6, 7.)

SECT. 10, first paragraph amended, 1934, 111; revised, 1937, 45 § 2; amended, 1938, 373 § 4; 1946, 20 § 2; second paragraph revised, 1933, 313 § 2; 1941, 278; amended, 1941, 472 § 4; first two sentences stricken out and one sentence inserted, 1954, 114; 1943, 229 § 3; third paragraph revised, 1937, 77 § 2; amended, 1943, 334 § 5; revised, 1947, 74; paragraph inserted after third paragraph, 1948, 63.

SECT. 11, sentence added at end, 1933, 313 § 3; revised, 1937, 77 § 3; section revised, 1937, 212 § 1; amended, 1943, 334 § 6; second sentence revised, 1956, 135.

SECT. 12 revised, 1937, 212 § 2; first paragraph amended, 1943, 334 § 7; paragraph added at end, 1939, 166.

SECT. 12A added, 1933, 305 (to prevent certain fraudulent nominations).

SECT. 13, sentence added at end, 1933, 313 § 4; section amended, 1937, 26, 77 § 4; revised, 1955, 221.

SECT. 14, sentence inserted after third sentence, 1943, 334 § 8.

SECT. 15 amended, 1943, 334 § 9.

SECT. 17 amended, 1943, 334 § 10.

SECT. 17A added, under the heading "ENDORSEMENT FOR NOMINATION OF MEMBERS OF STATE POLITICAL COMMITTEES BY CONVENTIONS", 1938, 397; second paragraph amended, 1945, 237 § 1; fifth paragraph amended, 1945, 20.

SECT. 18 revised, 1934, 282.

SECT. 20 revised, 1943, 334 § 11.

SECT. 21 amended, 1945, 237 § 2.

SECT. 22A amended, 1932, 80; 1938, 192; 1943, 51; 1948, 596.

SECT. 22B added, 1938, 191 (requiring persons circulating initiative and referendum petitions to attest the validity of signatures thereto under the penalties of perjury).

SECT. 24. See 1937, 275.

SECT. 26 amended, 1943, 334 § 12; paragraph added at end, 1945, 51.

SECT. 28 amended, 1932, 310 § 5; revised, 1933, 313 § 5; amended, 1934, 32 § 2; revised, 1938, 473 § 7; first paragraph amended, 1946, 20 § 3. (See 1937, 384, 435.) Temporarily affected, 1958, 73.

SECT. 32 amended, 1932, 310 § 6; 1938, 473 § 8. (See 1937, 384, 435.)

SECT. 33, sentence added at end, 1941, 511 § 3.

SECT. 34 revised, 1932, 310 § 7; first paragraph revised, 1938, 436 § 1; fourth paragraph revised, 1937, 22; section revised, 1938, 473 § 9; second and third paragraphs revised, 1941, 337 § 3; fifth paragraph revised, 1941, 352; amended, 1943, 334 § 13; section revised, 1953, 406 § 3; second paragraph revised, 1954, 225; 1958, 289. (See 1937, 384, 435.)

SECT. 35 amended, 1932, 310 § 8; 1938, 473 § 10; amended, 1941, 337 § 4. (See 1937, 384, 435.)

SECT. 35A added, 1943, 301 (relative to pasters or stickers for use at primaries).

SECT. 36 amended, 1941, 511 § 4.

SECT. 37 revised, 1943, 334 § 14; sentence added at end, 1949, 194; revised, 1957, 26.

SECT. 38 amended, 1938, 299; 1943, 334 § 15; 1945, 237 § 3; revised, 1959, 74.

SECT. 40 revised, 1932, 30.

SECT. 40A added, 1943, 334 § 16 (requiring petitions for recounts at primaries of a political party to be signed by enrolled voters thereof).

SECT. 41 revised, 1932, 310 § 9; section and title preceding it stricken out and new section inserted under the heading "PROVISIONS APPLYING TO STATE PRIMARIES", 1938, 473 § 11; section revised, 1941, 337 § 5. (See 1937, 384, 435.)

SECT. 42 amended, 1932, 310 § 10; 1937, 24 § 2; revised, 1938, 373 § 1; 1953, 406 § 4. (See 1937, 384, 435.)

SECT. 43 amended, 1932, 310 § 11; 1937, 201; 1949, 109 § 1. (See 1937, 384, 435.)

SECT. 44 revised, 1932, 310 § 12; amended, 1935, 38; revised, 1938, 373 § 2, 473 § 12; amended, 1941, 337 § 6; revised, 1952, 221; 1953, 406 § 5; last sentence stricken out and two sentences inserted, 1954, 183 § 1; third sentence revised, 1955, 249. (See 1937, 384, 435.)

SECT. 45 amended, 1932, 310 § 13; first paragraph amended, 1936, 22; 1938, 84; section revised, 1938, 473 § 13; amended, 1941, 337 § 7; first paragraph amended, 1947, 338 § 1; paragraph added at end, 1946, 537 § 2. (See 1937, 384, 435; 1946, 537 § 12.)

SECT. 46 amended, 1936, 4 § 2; revised, 1937, 25 § 2; amended, 1941, 337 § 8.

SECT. 47 amended, 1932, 310 § 14; 1938, 473 § 14. (See 1937, 384, 435.)

SECT. 48 amended, 1932, 310 § 15; first paragraph revised, 1938, 373 § 3; paragraph added at end, 1938, 272; same paragraph amended, 1941, 563; paragraph added at end, 1941, 675; section amended, 1943, 53; first paragraph amended, 1946, 20 § 4; section revised, 1951, 332; first paragraph revised, 1953, 406 § 6. (See 1937, 384, 435.)

SECT. 48A added, 1956, 232 (relative to the nomination of certain candidates at state primaries).

SECT. 49 revised, 1932, 310 § 16; 1938, 473 § 15. (See 1937, 384, 435.)

SECT. 51 amended, 1932, 310 § 17; 1938, 473 § 16. (See 1937, 384, 435.)

SECT. 52 amended, 1932, 310 § 18; revised, 1938, 473 § 17; amended, 1941, 337 § 9; revised, 1948, 614 § 3; 1950, 280 § 3. (See 1937, 384, 435; 1948, 614 §§ 8, 9.)

SECT. 53 revised, 1932, 310 § 19; 1938, 473 § 18; amended, 1941, 337 § 10; 1948, 614 § 4; 1950, 280 § 4. (See 1937, 384, 435; 1948, 614 §§ 8, 9.)

SECT. 53A amended, 1932, 310 § 20; revised, 1938, 473 § 19. (See 1937, 384, 435.)

SECT. 54 revised and heading inserted preceding said section, 1932, 310 § 21; two sentences added, 1935, 482 § 1; section amended, 1936, 11 § 1; 1937, 24 § 3; section (and heading) revised, 1938, 346 § 2; section amended, 1941, 337 § 11; section revised, under new heading, 1953, 406 § 7; section amended, 1955, 138 § 4; first sentence revised, 1957, 278 § 2; stricken out and two sentences inserted, 1958, 230; first sentence amended, 1959, 553. (See 1936, 11 §§ 2, 3; 1937, 384, 435; 1938, 346 § 3, 4.)

SECTS. 54A and 54B added, 1932, 310 § 22 (relative to proceedings at pre-primary conventions, to the form of certificates of nomination of candidates thereat, and to the acceptance of such nominations); repealed, 1938, 473 § 20. (See 1937, 384, 435.)

SECTS. 54C and 54D added, 1953, 406 § 8 (relative to the certification and seating of candidates and delegates at state conventions).

SECT. 55, paragraph added at end, 1936, 116 § 2.

SECT. 56 amended, 1943, 334 § 17.

SECT. 57 amended, 1937, 410; 1945, 237 § 4.

SECT. 61 amended, 1936, 140; 1937, 411; 1941, 272.

SECTS. 65-70 (and caption) repealed, 1932, 310 § 23. (See 1937, 384, 435; 1938, 473 § 21.)

SECTS. 70A-70H added, under heading "PROVISIONS APPLYING TO PRESIDENTIAL PRIMARIES," 1938, 473 § 21.

SECT. 70B amended, 1941, 337 § 12.

SECT. 70D, fourth sentence stricken out and two sentences inserted, 1947, 338 § 2; section revised, 1948, 614 § 5; 1950, 280 § 5; second and third sentences revised, 1957, 299; fourth sentence revised, 1956, 74 § 1. (See 1948, 614 §§ 8, 9; 1956, 74 § 2.)

SECT. 70E, sentence inserted before last sentence, 1947, 31; four paragraphs added at end, 1951, 764.

SECT. 70F amended, 1939, 452 § 11; revised, 1948, 614 § 6; 1950, 280 § 6. (See 1948, 614 §§ 8, 9.)

SECT. 70G, second paragraph, as appearing in 1938, 473 § 21, amended, 1948, 614 § 7; 1950, 280 § 7; two paragraphs inserted after first paragraph, 1953, 406 § 9. (See 1948, 614 §§ 8, 9.)

SECT. 71. See 1937, 275.

SECT. 72A added, 1933, 313 § 6 (relative to caucuses before regular city elections in cities having absent voting); revised, 1937, 77 § 5; 1945, 1.

SECT. 76, paragraph added at end, 1946, 537 § 3. (See 1946, 537 § 12.)

SECT. 87, paragraph added at end, 1946, 537 § 4. (See 1946, 537 § 12.)

SECT. 112 amended, 1935, 59 § 2.

SECT. 117 amended, 1932, 141 § 2.

SECT. 121 added, 1932, 141 § 3 (authorizing the nomination by caucuses other than those of political or municipal parties of two candidates for each town office); revised, 1936, 204.

Chapter 54. — Elections.

For legislation relative to absent voting by members of the armed forces during time of war, see 1948, 531.

SECT. 2 amended, 1943, 411 § 1.

SECT. 4 revised, 1935, 482 § 2; amended, 1936, 185; revised, 1937, 412.

SECT. 5 revised, 1943, 209 § 1.

SECT. 6 revised, 1943, 411 § 2.

SECT. 7 revised, 1943, 411 § 3; amended, 1947, 267 § 1.

SECT. 7A added, 1947, 267 § 3 (authorizing the division of precincts in certain towns for the sole purpose of facilitating voting therein).

SECT. 9A added, 1937, 267 § 1 (relative to the use of precincts in certain towns in the formation of representative districts); revised, 1947, 267 § 2.

SECT. 11 amended, 1932, 76 § 1; 1934, 158 § 1; 1937, 27; 1938, 341 § 6; revised, 1941, 432 § 1.

SECT. 11A added, 1932, 76 § 2 (dispensing with the appointment of deputy election officers in certain cities).

SECT. 11B added, 1941, 432 § 2 (relative to the appointment of election officers in certain cities); revised, 1943, 230.

SECT. 12 amended, 1934, 158 § 2; revised, 1945, 363.

SECT. 13 amended, 1934, 158 § 3; 1943, 411 § 4.

SECT. 14 amended, 1943, 411 § 5.

SECT. 16A added, 1943, 411 § 6 (relative to the temporary filling of vacancies in the offices of election officers).

SECT. 19 amended, 1934, 158 § 4.

SECT. 21 amended, 1934, 158 § 5.

SECT. 22 amended, 1943, 411 § 7.

SECT. 23 amended, 1943, 411 § 8; paragraph added at end, 1946, 537 § 5. (See 1946, 537 § 12.)

SECT. 24, last sentence stricken out and two new sentences inserted, 1943, 209 § 2.

SECT. 25 revised, 1943, 411 § 9.

SECT. 26 amended, 1938, 281 § 1; 1943, 240.

SECT. 27, paragraph added at end, 1946, 537 § 6. (See 1946, 537 § 12.)

SECT. 30 amended, 1943, 310 § 1.

SECT. 30A added, 1943, 310 § 2 (relative to election officers in places where voting machines are used); revised, 1947, 255 § 1.

SECT. 31, paragraph added at end, 1943, 310 § 3.

SECT. 33, last sentence stricken out, and paragraph inserted at end, 1935, 238 § 1; last sentence of same paragraph revised, 1951, 709 § 1; paragraph added at end, 1951, 709 § 2.

SECTS. 33A–33D added, 1943, 310 § 4 (relative to the use of voting machines at primaries and elections).

SECT. 34 revised, 1936, 205 § 1; second paragraph stricken out, 1938, 281 § 2; section amended, 1945, 84.

SECT. 35 revised, 1943, 310 § 5.

SECTS. 35A and 35B added, 1938, 281 § 3 (relative to voting by challenged voters at polling places where voting machines are used and to the counting of votes where such machines are used).

SECT. 35A, sentence added at end, 1941, 511 § 5; section amended, 1945, 62.

SECT. 35B, second sentence of second paragraph revised, 1941, 511 § 6; second paragraph revised, 1943, 310 § 6; third paragraph amended, 1941, 511 § 7.

SECT. 38 revised, 1936, 205 § 2.

SECT. 41, third paragraph amended, 1933, 35 § 2; 1938, 190; second sentence of same paragraph revised, 1938, 436 § 2; same paragraph amended, 1946, 78; 1955, 256; last paragraph stricken out and three paragraphs inserted, 1943, 411 § 11; sentence added at end, 1952, 128; same sentence revised, 1953, 1; 1954, 127.

SECT. 42 amended, 1932, 135 § 5; first paragraph amended, 1935, 238 § 2; same paragraph revised and paragraph inserted, 1941, 292; first two paragraphs revised, 1948, 272; second paragraph amended, 1953, 212, 432; last paragraph amended, 1943, 411 § 12.

SECT. 42A added, 1947, 138 § 1 (relative to questions appearing upon ballots at state and municipal elections).

SECT. 43 revised, 1932, 135 § 1.

SECT. 43A added, 1957, 126 § 1 (placing the office of United States senator ahead of state constitutional officers on ballots, ballot labels and voting machines at state elections and primaries); first paragraph revised, 1959, 298.

SECT. 44 amended, 1943, 411 § 13; third and fourth sentences stricken out and sentence inserted, 1957, 126 § 2.

SECT. 45, first sentence revised, 1943, 281 § 1; paragraph added at end, 1943, 281 § 2.

SECT. 48 amended, 1943, 290.

SECT. 49 amended, 1943, 411 § 14.

SECT. 53 amended, 1945, 64.

SECT. 58A added, 1956, 180 (relative to the form of question to be used in placing provisions of the general laws on the ballot for acceptance by the voters of cities and towns); paragraph added at end, 1959, 43.

SECT. 60, last sentence amended, 1938, 281 § 6.

SECT. 62 amended, 1935, 257 § 5. (See 1935, 257 § 12.)

SECT. 64, third paragraph revised, 1949, 109 § 2; last paragraph amended, 1934, 39 § 5.

SECT. 65 revised, 1933, 289 § 1; amended, 1943, 411 § 15; second sentence stricken out and two sentences inserted, 1952, 129; same sentence stricken out and one sentence inserted, 1955, 266; paragraph inserted after first paragraph, 1951, 257; paragraph added at end, 1946, 537 § 7; section revised, 1957, 54. (See 1946, 537 § 12.)

SECT. 68, paragraph added at end, 1946, 537 § 8. (See 1946, 537 § 12.)

SECT. 69 amended, 1947, 255 § 2.

SECT. 70 revised, 1943, 411 § 16; amended, 1947, 255 § 3.

SECT. 71. See 1937, 275.

SECT. 71A added, 1943, 411 § 17 (requiring that election officers in cities and in certain towns be supervised by the city or town clerk).

SECT. 73, paragraph added at end, 1946, 537 § 9. (See 1946, 537 § 12.)

SECT. 75 amended, 1943, 411 § 18.

SECT. 76 revised, 1943, 411 § 19.

SECT. 76A added, 1943, 411 § 20 (requiring a person applying to vote to write his name upon request of any election officer).

SECT. 78 revised, 1932, 135 § 2.

SECT. 79 amended, 1943, 411 § 21.

SECT. 80 revised, 1958, 194.

SECT. 85A added, 1937, 275 § 1 (relative to the challenging of voters at polling places at certain elections, primaries and caucuses). (See 1937, 275 § 2.)

SECT. 86 revised, 1945, 466 § 1; amended, 1950, 21; 1951, 153 § 1; revised, 1954, 101; 1959, 178 § 1.

SECT. 87, subsection (a) revised, 1945, 52; subsection (b) revised, 1936, 404 § 1; amended, 1945, 466 § 2; 1951, 153 § 2; 1959, 178 § 2; paragraph added at end, 1948, 477 § 1; subsection (c) revised, 1936, 404 § 2; amended, 1937, 162 § 2; 1941, 279 § 2; 1944, 1 § 9; 1945, 231 §§ 1, 2; 466 § 3; subsection (d) revised, 1941, 333; subsection (e) revised, 1946, 140 § 13.

SECT. 89 revised, 1936, 404 § 3.

SECT. 90 repealed, 1946, 140 § 14.

SECT. 92 revised, 1936, 404 § 4; amended, 1937, 162 § 1; 1941, 279 § 1; revised, 1945, 466 § 4.

SECT. 93 revised, 1936, 404 § 5; amended, 1941, 722 § 8.

SECT. 94 amended, 1952, 39 § 1; revised, 1954, 102; 1956, 67.

SECT. 95 revised, 1936, 404 § 6; amended, 1945, 466 § 5; first sentence amended, 1952, 39 § 2; revised, 1959, 70.

SECT. 96 amended, 1936, 404 § 7.

SECT. 98 amended, 1945, 466 § 6.

SECT. 100 revised, 1936, 404 § 8.

SECT. 103A added, 1933, 313 § 1 (providing for absent voting at regular city elections); affected, 1936, 404 § 9; revised, 1937, 77 § 1; first paragraph amended, 1939, 152; revised, 1948, 477 § 2; paragraph added at end, 1946, 118.

SECT. 104 amended, 1934, 39 § 6.

SECT. 105, first paragraph amended, 1952, 39 § 3; 1959, 133; revised, 1959, 155 § 1; second paragraph revised, 1947, 95; fourth paragraph amended, 1938, 341 § 7.

SECT. 107 revised, 1943, 411 § 22; amended, 1946, 93.

SECT. 109 amended, 1943, 411 § 23.

SECT. 112 amended, 1935, 257 § 6; 1939, 31 § 3; first sentence revised, 1946, 130 § 2. (See 1935, 257 § 12.)

SECT. 115, second sentence revised, 1952, 207.

SECT. 116, first sentence revised, 1946, 130 § 3.

SECT. 122 amended, 1935, 257 § 7. (See 1935, 257 § 12.)

SECTS. 124-128 repealed, 1946, 130 § 4.

SECT. 132 amended, 1932, 33.

SECT. 133 amended, 1937, 21 § 2.

SECT. 134 amended, 1943, 411 § 24.

SECT. 135, first paragraph amended, 1933, 254 § 17; section revised, 1933, 270; first paragraph revised, 1935, 59 § 1; 1938, 250 § 1; 1941, 236; third paragraph revised, 1937, 303; same paragraph amended, 1941, 350; last paragraph revised, 1938, 250 § 2; paragraph inserted after first paragraph, 1938, 281 § 4; section revised, 1943, 417; paragraph inserted after first paragraph, 1945, 149; first paragraph stricken out and three paragraphs inserted, 1945, 315; second paragraph amended, 1957, 45; third paragraph (as appearing in 1943, 417) revised, 1947, 353 § 1; fifth paragraph (as so appearing) amended, 1959, 155 § 2; seventh paragraph (as so appearing) revised, 1947, 353 § 2. (See 1933, 254 § 66.)

SECT. 135A added, 1938, 281 § 5 (relative to the recounting of votes where voting machines are used); amended, 1943, 411 § 25; sentence inserted after first sentence, 1949, 188; 1945, 142.

SECT. 137 amended, 1935, 55.

SECT. 138, last paragraph amended, 1937, 23 § 1.

SECT. 139 amended, 1943, 49.

SECT. 141 amended, 1939, 508 § 16; first paragraph stricken out, 1946, 130 § 5; second paragraph amended, 1945, 38 § 7; 1946, 20 § 1.

SECT. 144 revised, 1935, 257 § 8; first paragraph amended, 1939, 31 § 4. (See 1935, 257 § 12.)

SECT. 146 amended, 1935, 257 § 9. (See 1935, 257 § 12.)

SECT. 148 amended, 1937, 23 § 2.

SECT. 151 amended, 1932, 135 § 3.

SECT. 158 amended, 1935, 257 § 10; first paragraph revised, 1939, 31 § 5. (See 1935, 257 § 12.)

SECT. 161 (except last paragraph) amended, 1934, 265; paragraph added at end, 1946, 594. (See 1939, 467.)

Chapter 54A. — Election of City and Town Officers by Proportional Representation and Preferential Voting.

New chapter inserted, 1937, 345.

Chapter inserted by 1937, 345 stricken out and new chapter inserted, 1938, 341 § 1.

The following references are to chapter 54A as so inserted:

SECT. 1 amended, 1941, 345.

SECT. 2, paragraph added at end, 1938, 378 § 17; section revised, 1941, 640 § 6. (See 1941, 640 § 7.)

SECT. 9, paragraph (t) added, 1950, 28.

Chapter 55. — Corrupt practices and Election Inquests.

Chapter stricken out and new chapter 55 inserted, 1946, 537 § 10. (See 1946, 537 § 12.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to chapter 55 as so inserted:

SECT. 4, first sentence stricken out and three sentences inserted, 1954, 287.

SECT. 11, first paragraph revised, 1954, 644.

SECT. 13, paragraph inserted after first paragraph, 1954, 530.

SECT. 16 amended, 1954, 272.

SECT. 20, first sentence revised, 1954, 223.

SECT. 29 amended, 1956, 230.

SECT. 30 amended, 1955, 131 § 1.

SECT. 31 amended, 1955, 131 § 2.

SECT. 32 amended, 1955, 131 § 3.

SECT. 33 amended, 1955, 131 § 4.

SECT. 34 amended, 1955, 131 § 5.

SECT. 35 amended, 1955, 131 § 6.

Chapter 56. — Violations of Election Laws.

Chapter stricken out and new chapter 56 inserted, 1946, 537 § 11. (See 1946, 537 § 12.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to chapter 56 as so inserted:

SECT. 41, first paragraph revised, 1950, 88.

SECT. 41A added, 1950, 91 (relative to the unauthorized use of persons' names in political advertising).

SECT. 43A added, 1951, 104 (regulating use of the word "Veteran" by candidates for public office).

SECT. 44A added, 1949, 238 (prohibiting the distribution of certain lists of candidates for state office unless the name of the person responsible therefor appears thereon).

Chapter 57. — Congressional, Councillor and Senatorial Districts, and Apportionment of Representatives.

SECT. 1 revised, 1941, 556.

SECT. 2 revised, 1939, 507 § 1; 1948, 250 § 1. (See 1948, 250 §§ 3, 4.)

SECT. 3 revised, 1939, 507 § 2; 1948, 250 § 2. (See 1948, 250 §§ 3, 4.)

SECT. 4 revised, 1939, 467 § 1; 1947, 182 § 1. (See 1939, 467 §§ 2, 3, 4; 1947, 182 §§ 2, 3, 4.)

SECT. 5. See 1939, 467.

Chapter 58. — General Provisions relative to Taxation.

For legislation relative to the collection of certain taxes and other charges due the commonwealth, see 1943, 568; 1945, 325, 712; 1946, 615.

SECT. 1, first sentence revised, 1943, 428 § 2; fifth sentence amended, 1932, 180 § 9; same sentence revised, 1937, 108 § 2.

SECT. 2 amended, 1933, 254 § 18; paragraph added at end, 1941, 726 § 2; same paragraph revised, 1953, 654 § 5; section revised, 1958, 490 § 1. (See 1933, 254 § 66; 1958, 490 § 3.)

SECT. 3 amended, 1933, 254 § 19. (See 1933, 254 § 66.)

SECTS. 7A-7E added, under caption, 1955, 649 (relative to assessment systems in cities and towns).

SECT. 8 revised, 1935, 322 § 1; 1945, 351 § 2; amended, 1953, 654 § 6.

SECT. 8A added, 1951, 500 (relative to reimbursement of municipalities for loss of taxes through abatements to paraplegic veterans); revised, 1957, 687.

SECT. 9 revised, 1939, 346; 1941, 112; amended, 1953, 654 § 7.

SECT. 10 amended, 1934, 323 § 9; 1951, 641 § 3; revised, 1953, 654 § 8. (See 1934, 323 § 11; 1951, 641 §§ 18, 19.)

SECT. 11 amended, 1939, 451 § 14; repealed, 1941, 609 § 1.

SECT. 12 amended, 1941, 490 § 13; repealed, 1941, 609 § 1.

SECT. 13 amended, 1933, 254 § 20; 1945, 564; 1953, 654 § 9; revised, 1955, 467; first sentence revised, 1956, 701 § 1. (See 1933, 254 § 66; 1956, 701 § 2.)

SECT. 14 amended, 1939, 451 § 15; 1953, 654 § 10.

SECT. 15 amended, 1933, 254 § 21; revised, 1941, 490 § 14; amended, 1953, 654 § 11. (See 1933, 254 § 66.)

SECT. 15A added, 1956, 701 § 1A (providing that certain land exempt from local taxation at the time of its acquisition by the commonwealth shall not be included in any determination of valuation for purposes of reimbursement). (See 1956, 701 § 2.)

SECT. 17A amended, 1939, 451 § 26; 1953, 654 § 12.

SECT. 17B added, 1945, 592 § 1 (relative to payments by the commonwealth to certain towns in reimbursement for loss of taxes by reason of property taken for flood control); amended, 1953, 654 § 13; revised, 1959, 412 § 1. (See 1945, 592 § 2; 1959, 412 § 2.)

SECT. 18 revised, 1933, 350 § 7; amended, 1936, 405 § 1; 1939, 451 § 16; 1945, 624 § 1; revised, 1945, 735 § 4; amended, 1955, 780 § 9; amended, 1953, 654 § 14; amended, 1951, 641 § 4; amended, 1947, 679 § 3; affected, 1933, 357 § 4; 1935, 438 § 2; revised, 1956, 599 § 1. (See 1933, 307 § 11, 350 § 9; 1936, 362 § 4; 1951, 641 §§ 18, 19; 1955, 780 § 10; 1956, 599 § 5.)

SECT. 20 revised, 1936, 362 § 3; amended, 1937, 108 § 1; 1953, 654 § 15; introductory paragraph amended, 1941, 656 § 1; 1945, 624 § 2. (See 1936, 362 §§ 4, 8; 1937, 108 § 3.)

SECT. 20A added, 1936, 376 § 3 (relative to the set-off of money due to the commonwealth from a city or town against sums due to the city or town from the commonwealth).

SECT. 21 amended, 1933, 254 § 22; repealed, 1934, 323 § 1. (See 1933, 254 § 66; 1934, 323 § 11.)

SECTS. 22 and 23 repealed, 1934, 323 § 1. (See 1934, 323 § 11.)

SECT. 24 amended, 1933, 254 § 23; repealed, 1951, 641 § 2. (See 1933, 254 § 66; 1951, 641 §§ 18, 19.)

SECT. 24A revised, 1934, 323 § 2; first sentence amended, 1945, 624 § 3; section repealed, 1951, 641 § 2. (See 1934, 323 § 11; 1951, 641 §§ 18, 19.)

SECT. 25 revised, 1934, 323 § 3; amended, 1939, 451 § 17; first sentence revised, 1941, 729 § 11; section revised, 1945, 624 § 4, 687; amended, 1951, 641 § 5; 1953, 654 § 16. (See 1934, 323 § 11; 1941, 729 § 15; 1951, 641 §§ 18, 19.)

SECT. 25A revised, 1934, 323 § 4; first sentence revised, 1945, 624 § 5; amended, 1951, 641 § 6; 1953, 654 § 17. (See 1934, 323 § 11; 1951, 641 §§ 18, 19.)

SECT. 26 amended, 1933, 254 § 24; repealed, 1934, 323 § 1. (See 1933, 254 § 66; 1934, 323 § 11.)

SECT. 26A added, 1945, 523 § 1 (relative to abatement of uncollectible taxes); amended, 1953, 654 § 18.

SECT. 27, first sentence revised, 1943, 521 § 1; section amended, 1951, 641 § 7; 1953, 654 § 19; first sentence revised, 1959, 525. (See 1951, 641 §§ 18, 19.)

SECTS. 28A and 28B added, 1947, 483 § 1 (provisions for aiding in the collection of federal and state personal income taxes).

SECT. 29, first sentence revised, 1953, 654 § 20; paragraph (1) amended, 1956, 129; paragraph (4) stricken out, 1945, 161 § 1.

SECT. 30 revised, 1945, 624 § 6; amended, 1951, 641 § 8. (See 1951, 641 §§ 18, 19.)

SECT. 31 added, under caption, 1937, 135 § 1 (relative to forms of application for abatement of taxes and certain other forms and the approval thereof by the commissioner of corporations and taxation); amended, 1953, 654 § 21.

SECT. 32 added, 1953, 654 § 22 (relative to the summons, attendance and testimony of witnesses before the commissioner).

Chapter 58A. — Appellate Tax Board (former title, Board of Tax Appeals).**Title changed, 1937, 400 § 2.**

SECT. 1 revised, 1937, 400 § 3; first paragraph amended, 1948, 583; same paragraph revised, 1950, 784; amended, 1953, 654 § 23; 1955, 730 § 41; fourth sentence revised, 1957, 732. (See 1937, 400 §§ 1, 2, 4, 5, 7; 1955, 730 § 43.)

SECT. 5 revised, 1941, 381, 596 § 24.

SECT. 6 amended, 1932, 180 § 10; revised, 1933, 167 § 4; amended, 1934, 323 § 10; revised, 1938, 478 § 4; first sentence revised, 1941, 609 § 2; same sentence amended, 1941, 726 § 1; same sentence revised, 1945, 367 § 3; section revised, 1945, 621 § 1; first sentence revised, 1947, 632 § 2; amended, 1951, 641 § 9; 1957, 617 § 12A; section amended, 1953, 654 § 24; last two sentences stricken out and six sentences inserted, 1958, 523 § 1. (See 1933, 167 § 5; 1934, 323 § 11; 1937, 400 § 1; 1947, 632 § 3; 1951, 641 §§ 18, 19; 1957, 617 § 13; 1958, 523 § 4.)

SECT. 7 revised, 1933, 321 § 2; amended, 1939, 451 § 18; 1945, 621 § 2; 1952, 502; 1953, 654 § 25. (See 1933, 321 § 9.)

SECT. 7A added, 1933, 321 § 3 (providing for the establishment of informal procedure before the appellate tax board); revised, 1935, 447; third sentence revised, 1938, 384; 1943, 282; section revised, 1945, 621 § 3. (See 1933, 321 §§ 8, 9.)

SECT. 8 revised, 1933, 321 § 4. (See 1933, 321 § 9.)

SECT. 8A added, 1935, 276 § 1 (providing for adequate discovery in tax appeal cases).

SECT. 9 amended, 1953, 654 § 26.

SECT. 10 revised, 1933, 321 § 5. (See 1933, 321 § 9.)

SECT. 12 amended, 1933, 321 § 6. (See 1933, 321 § 9.)

SECT. 12A added, 1943, 430 (relative to taxation of costs by the appellate tax board in certain appeals as to the assessed value where it exceeds the value as recently determined by said board).

SECT. 12B added, 1950, 262 (relative to the admissibility of evidence of assessed valuations at hearings before the appellate tax board).

SECT. 13 revised, 1933, 321 § 7; first sentence revised, 1956, 630; 1957, 522; fifth sentence stricken out, 1954, 681 § 5; sixth sentence amended, 1953, 654 § 27; 1954, 681 § 5; sentence inserted after sixth sentence, 1954, 681 § 5; eighth sentence amended, 1953, 654 § 27; fifteenth sentence revised, 1933, 350 § 8; amended, 1935, 218 § 1; 1939, 366 § 1; 1953, 654 § 27. (See 1933, 321 § 9; 350 § 9; 1954, 681 §§ 20, 22.)

Chapter 59. — Assessment of Local Taxes.

For temporary legislation exempting persons in the military and naval service of the United States from the payment of poll taxes, see 1943, 406; 1947, 637.

For temporary legislation exempting from taxation certain real property of residents of the commonwealth serving in the armed forces of the United States, and their spouses, see 1943, 412; 1945, 627 § 2.

For legislation relative to the collection of certain taxes and other charges due the commonwealth, see 1943, 568; 1945, 325, 712; 1946, 615.

Temporary act relative to the taking of appeals involving real estate in which closed banks have an interest, 1941, 145 § 2.

For temporary legislation extending the time during which soldiers and sailors and their wives, widows or parents may apply for abatement or exemption from certain real estate taxes, see 1950, 165; 1951, 301; 1955, 148; 1956, 287; 1957, 41; 1958, 37.

As to Boston taxes, see 1932, 125; 1933, 159; 1934, 201; 1935, 284; 1936, 224.

SECT. 1 amended, 1936, 202 § 1; revised, 1938, 186 § 3. (See 1936, 202 § 2; 1938, 186 § 5.)

SECT. 2 revised, 1954, 459 § 1.

SECT. 3A revised, 1951, 667 § 1.

SECT. 3B added, 1946, 393 (to abolish certain implied exemptions from local taxation).

SECT. 3C added, 1952, 614 § 1 (relative to local taxation of certain pipe lines). (See 1952, 614 § 3.)

SECT. 3D added, 1956, 690 § 1 (providing for the assessment and taxation of certain land owned by the United States and leased to private interests); first sentence revised, 1958, 549 § 1.

SECT. 5, clause First revised, 1936, 81; 1938, 47; 1956, 690 § 3; clause Second revised, 1951, 667 § 2; clause Third, subsection (c) amended, 1933, 198 § 1 (see 1933, 198 § 2); clause Third revised, 1957, 500 § 1 (see 1957, 500 § 2); clause Eighth amended, 1947, 83 § 1; clause Eleventh revised, 1938, 317; amended, 1953, 231; 1954, 341; clause Sixteenth revised, 1936, 362 § 1 (see 1936, 362 §§ 4, 8); 1941, 467; amended, 1949, 732; 1952, 232 § 1 (see 1952, 232 § 2); 1953, 654 § 28; 1954, 435 § 1 (see 1954, 435 § 2); revised, 1957, 541; clause Seventeenth revised, 1935, 294; amended, 1939, 451 § 19; revised, 1941, 227 § 1; 1954, 351; clause Seventeenth A added, 1938, 186 § 4 (see 1938, 186 § 5); sentence added at end, 1943, 559; amended, 1949, 236; revised, 1953, 358; clause Seventeenth B added, 1950, 796; amended, 1951, 730; clause Eighteenth revised, 1941, 227 § 2; clause Twentieth revised, 1937, 132; 1941, 482; 1947, 310; 1951, 640 § 1 (see 1951, 640 § 2); amended, 1953, 347; revised, 1956, 384; clause Twenty-first revised, 1956, 400 § 1; clause Twenty-second amended, 1939, 451 § 20; paragraph (a) amended, 1945, 627 § 1; clause revised, 1946, 579; 1947, 612 § 1 (see 1947, 612 § 2); paragraph (a), sentence added at end, 1949, 206; paragraph (d) revised, 1948, 560; paragraph (c) and one other paragraph inserted, 1948, 644 § 1 (see 1948, 644 § 3); paragraph added at end, 1948, 644 § 2 (see 1948, 644 § 3); clause revised, 1949, 534 § 1; 1951, 675; paragraph (g) revised, 1954, 245; clause revised, 1954, 683 § 1 (see 1954, 683 §§ 2A, 3); first sentence revised 1956, 381 § 1, 651; 1957, 525 § 1; 1958, 282 § 1 (see 1957, 525 § 5; 1958, 282 § 3); paragraph (a) revised, 1955, 403 § 3 (see 1955, 403 § 14); 1957, 525 § 2; 1958, 282 § 2 (see 1957, 525 § 5; 1958, 282 § 3); paragraph (b) stricken out, 1957, 525 § 3 (see 1957, 525 § 5); paragraph (c) revised, 1956, 381 § 2; paragraph (d) stricken out, 1956, 381 § 3; paragraph added after paragraph (h), 1955, 312; clause Twenty-second A added, 1954, 683 § 2 (see 1954, 683 § 3); first paragraph revised, 1957, 525 § 4 (see 1957, 525 § 5); clause Twenty-second B added, 1959, 233 § 1 (see 1959, 233 § 2); clause Twenty-third amended, 1932, 114 § 4; revised, 1947, 647; 1949, 534 § 2; clause Twenty-fifth amended, 1951, 272; clause Twenty-second amended, 1951, 641 § 10 (see 1951, 641 §§ 18, 19); clause Thirty-fifth revised, 1939, 24 § 2; clause Thirty-sixth added, 1952, 583 § 2 (see 1952, 583 § 3); clause Thirty-seventh added, 1953, 379; amended,

1959, 88 § 2; revised, 1959, 444 § 1 (see 1959, 444 § 2); clause Thirty-eighth added, 1957, 444 § 2.

SECT. 5A added, 1941, 227 § 3 (relative to collection of taxes from estates of persons who were relieved therefrom for lack of ability to pay, or otherwise); first sentence revised, 1948, 541.

SECT. 6 amended, 1933, 254 § 25; 1936, 59 § 1; first paragraph amended, 1941, 440; revised, 1946, 410. (See 1933, 254 § 66; 1936, 59 § 3.)

SECTS. 6 and 7. See 1934, 307.

SECT. 7, first paragraph amended, 1936, 59 § 2; section amended, 1939, 451 § 21; 1945, 367 § 1. (See 1936, 59 § 3.)

SECT. 7A added, 1945, 367 § 2 (relative to payments in lieu of taxes on certain property held by a municipality or district in another municipality).

SECT. 8 amended, 1933, 80, 254 § 26; paragraph added at end, 1935, 119 § 1. (See 1933, 254 § 66; 1935, 119 § 2.)

SECT. 8A added, under caption, 1956, 400 § 2 (relative to excise tax on farm animals).

SECT. 9 amended, 1933, 254 § 27; revised, 1939, 342 § 4. (See 1933, 254 § 66.)

SECT. 10 amended, 1933, 254 § 28. (See 1933, 254 § 66.)

SECT. 11 amended, 1933, 254 § 29; revised, 1936, 92; 1939, 175; sentence inserted after third sentence, 1956, 690 § 2; same sentence stricken out, 1958, 549 § 2; paragraph added at end, 1956, 397; revised, 1957, 418. (See 1933, 254 § 66.)

SECT. 16 amended, 1937, 114.

SECT. 18, opening paragraph and clauses First and Second amended, 1933, 254 § 30; clause Second revised, 1936, 362 § 2. (See 1933, 254 § 66; 1936, 362 § 8.)

SECT. 19 amended, 1933, 254 § 31; revised, 1945, 143. (See 1933, 254 § 66.)

SECT. 20 revised, 1933, 254 § 32; amended, 1936, 376 § 1; revised, 1946, 432 § 1. (See 1933, 254 § 66.)

SECT. 21 revised, 1933, 254 § 33; 1936, 376 § 2; second sentence amended, 1945, 624 § 7; first three sentences stricken out and five sentences inserted, 1946, 432 § 2. (See 1933, 254 § 66.)

SECT. 23, first paragraph amended, 1951, 798 § 7; 1955, 143; two paragraphs inserted, 1955, 202 § 1; 1953, 654 § 29; 1948, 576; paragraph added at end, 1938, 175 § 2; 1949, 104 § 1. Temporarily affected, 1954, 43. (See 1951, 798 § 8; 1952, 359; 1953, 119; 1955, 202 § 2.)

SECT. 23C added, 1952, 578 § 1 (providing for separate school tax rates); first paragraph revised, 1954, 460 § 1; "School percentage" defined, 1954, 460 § 2.

SECT. 25, first sentence revised, 1950, 257; amended, 1953, 654 § 30; sentence added at end, 1949, 104 § 2.

SECT. 27 amended, 1936, 118 § 2. (See 1936, 118 § 3.)

SECT. 29, last three sentences revised, 1933, 254 § 34. (See 1933, 254 § 66.)

SECT. 33 amended, 1933, 254 § 35; first sentence revised, 1954, 459 § 2. (See 1933, 254 § 66.)

SECT. 38A added, 1952, 614 § 2 (relative to the valuation for taxation of natural gas or petroleum pipe lines); amended, 1953, 654 § 31. (See 1952, 614 § 3.)

SECT. 39 amended, 1933, 254 § 36; 1939, 451 § 22; revised, 1953, 468, 654 § 32; 1955, 344 § 1. (See 1933, 254 § 66; 1955, 344 § 3.)

SECT. 40 amended, 1953, 654 § 33.

SECT. 41 amended, 1933, 254 § 37; 1953, 654 § 34. (See 1933, 254 § 66.)

SECT. 42 amended, 1953, 654 § 35.

SECT. 43, first sentence revised, 1948, 112 § 1.

SECT. 45 amended, 1933, 254 § 38; first sentence revised, 1948, 112 § 2; form appended to section amended, 1933, 254 § 39. (See 1933, 254 § 66.)

SECT. 47 amended, 1933, 254 § 40. (See 1933, 254 § 66.)

SECT. 48 revised, 1947, 84.

SECT. 49 amended, 1933, 254 § 41; first sentence revised, 1948, 112 § 3; section revised, 1955, 245 § 1. (See 1933, 254 § 66; 1955, 245 § 2.)

SECT. 50 revised, 1948, 112 § 4.

SECT. 54 revised, 1954, 444 § 1. (See 1954, 444 § 5.)

SECT. 57 amended, 1933, 151 § 1; revised, 1933, 254 § 42; 1935, 158 § 1; amended, 1937, 203 § 1; revised, 1938, 330 § 1; 1941, 258 § 1; first two sentences revised, 1947, 522 § 1; first sentence revised, 1949, 265 § 1; fourth and fifth sentences stricken out and three sentences inserted, 1947, 99 § 1; sentence added at end, 1949, 278 § 1. (See 1933, 151 § 2, 254 § 66; 1935, 158 § 2; 1937, 203 § 2; 1938, 330 § 2; 1947, 99 § 2, 522 § 2; 1949, 265 § 2, 278 § 2.)

SECT. 59, sentence added at end, 1933, 165 § 1; section revised, 1933, 254 § 43, 266 § 1; 1934, 136 § 2; amended, 1935, 187 § 1; revised, 1939, 250 § 1; first sentence revised, 1943, 166 § 1; 1945, 621 § 4; 1946, 199 § 1. (See 1933, 254 § 66, 266 § 2; 1934, 136 § 3; 1935, 187 § 2; 1946, 199 § 2; 1949, 277; 1950, 165.) Temporarily affected, 1953, 568.

SECT. 60 revised, 1941, 209; 1945, 620.

SECT. 61, last sentence revised, 1933, 165 § 2.

SECT. 61A added, 1935, 276 § 2 (providing for adequate discovery in proceedings for tax abatement).

SECT. 63 amended, 1943, 79.

SECT. 64, first paragraph amended, 1933, 130 § 1; second paragraph amended, 1935, 218 § 2; section revised, 1937, 400 § 6; 1938, 478 § 1; first sentence amended, 1939, 31 § 6; first paragraph revised, 1945, 621 § 5; second paragraph amended, 1939, 366 § 2; 1943, 248; revised, 1956, 544. (See 1937, 400 §§ 1-5, 7.)

SECT. 65 amended, 1933, 130 § 2, 167 § 1; revised, 1938, 478 § 2; 1939, 31 § 7; first sentence revised, 1945, 621 § 6.

SECT. 65A added, 1932, 218 § 1 (providing that the sale or taking of real property for payment of unpaid taxes thereon shall not prejudice proceedings for the abatement of such taxes); revised, 1933, 325 § 18. (See 1932, 218 § 2; 1933, 325 § 19.)

SECT. 65B added, 1938, 478 § 3 (relative to appeals to the appellate tax board from the refusal of assessors to abate certain taxes on real estate); revised, 1945, 621 § 7.

SECT. 65C added, 1953, 476 § 1 (providing for late entry of certain appeals to the appellate tax board). (See 1953, 476 § 2.)

SECT. 65D added, 1956, 452 § 1 (relative to certain appeals filed with the appellate tax board). (See 1956, 452 § 2.)

SECT. 69 amended, 1935, 218 § 3; 1939, 366 § 3.

SECT. 70A added, 1945, 351 § 1 (regulating the procedure after abatement of a local tax, assessment, rate or charge).

SECT. 73 amended, 1933, 254 § 44; 1953, 654 § 36; stricken out, 1955, 344 § 2. (See 1933, 254 § 66; 1955, 344 § 3.)

SECT. 74 amended, 1933, 254 § 45; 1939, 24 § 3; 1945, 137. (See 1933, 254 § 66.)

SECT. 75 amended, 1934, 104; first sentence revised, 1946, 339.

SECT. 77 revised, 1945, 333.

SECT. 78 amended, 1941, 258 § 5.

SECT. 79 amended, 1938, 150 § 1; last sentence revised, 1946, 251 § 2. (See 1946, 251 § 3.)

SECT. 83 amended, 1933, 254 § 46; 1939, 24 § 4; revised, 1958, 490 § 2. (See 1933, 254 § 66; 1958, 490 § 3.)

SECT. 84 amended, 1933, 254 § 47. (See 1933, 254 § 66.)

SECT. 85 amended, 1933, 254 § 48; repealed, 1945, 271. (See 1933, 254 § 66.) Affected, 1941, 609.

SECT. 86 amended, 1933, 254 § 49. (See 1933, 254 § 66.)

Chapter 60. — Collection of Local Taxes.

SECT. 1, third paragraph revised, 1933, 164 § 1; last two paragraphs amended, 1943, 37 § 1.

SECT. 3 revised, 1933, 254 § 50; sentence inserted after first sentence, 1954, 444 § 2; amended, 1941, 258 § 2; 1943, 37 § 2; sentence inserted after third sentence, 1943, 166 § 2. (See 1933, 254 § 66; 1954, 444 § 5.)

SECT. 3A added, 1934, 136 § 1 (requiring that certain information relative to abatement or exemptions be included in tax bills); amended, 1936, 156; revised, 1943, 166 § 3, 564 § 1 (providing that additional information be included in certain tax bills issued subsequent to the termination of the present war); sentence added at end, 1952, 578 § 2; section revised, 1954, 444 § 3. (See 1934, 136 § 3; 1943, 564 § 2, 1949, 277; 1954, 444 §§ 4, 5.)

SECT. 3B added, 1935, 322 § 2 (relative to the suspension of payment of certain assessments payable by certain persons entitled to exemption from local taxes).

SECT. 4 revised, 1939, 342 § 5.

SECT. 5 revised, 1933, 168 § 2; amended, 1941, 258 § 3; last sentence revised, 1955, 474 § 1.

SECT. 13, sentence added at end, 1937, 143 § 5; section revised, 1939, 44; 1941, 308.

SECT. 15, first paragraph amended, 1934, 151 § 2; 1935, 252 § 1; section revised, 1943, 179; 1952, 398; amended, 1955, 474 § 2; clause 2 revised, 1958, 306 § 1; clauses 9 and 10 revised, 1958, 306 § 2. (See 1958, 306 § 3.)

SECT. 15A added, 1935, 252 § 2 (further regulating charges and fees for the collection of poll taxes); revised, 1948, 386; 1959, 152.

SECT. 16 revised, 1933, 168 § 1; amended, 1933, 254 § 51. (See 1933, 168 § 4, 254 § 66.)

SECT. 18 repealed, 1932, 54 § 1.

SECT. 22 revised, 1933, 254 § 52; first sentence revised, 1947, 278; affected, 1933, 308. (See 1933, 254 § 66.)

SECT. 22A added, 1941, 573 § 1 (relative to bills for taxes on parcels of real estate and payments on account thereof). (See 1941, 573 § 2.)

SECT. 23 revised, 1932, 197 § 1; fourth sentence revised, 1952, 388; two

sentences added at end, 1943, 478 § 3; fifth sentence amended, 1954, 487 § 2A; section revised, 1958, 537. (See 1954, 487 § 3.)

SECT. 34, first sentence amended, 1947, 313.

SECT. 35 revised, 1938, 150 § 2; 1946, 251 § 1. (See 1946, 251 § 3.)

SECT. 37 amended, 1933, 254 § 53, 325 § 1; 1934, 131 § 2; revised, 1934, 169; amended, 1935, 269; 1936, 146; last sentence revised, 1941, 84 § 1; section revised, 1943, 478 § 1. (See 1933, 254 § 66; 1934, 131 § 3; 1941, 84 § 2.)

SECT. 37A added, 1943, 478 § 2 (relative to the continuance of local tax liens during the existence of legal impediments to sales or takings thereunder).

SECT. 38 amended, 1933, 254 § 54, 325 § 2. (See 1933, 254 § 66, 325 § 21.)

SECT. 39 amended, 1933, 325 § 3.

SECT. 42 revised, 1933, 164 § 2.

SECT. 43, last sentence revised, 1932, 54 § 2; section amended, 1935, 183, 236.

SECT. 45 amended, 1933, 325 § 4; 1937, 209; 1938, 339 § 1.

SECT. 46, paragraph added at end, 1934, 131 § 1.

SECT. 48 amended, 1933, 325 § 5. (See 1933, 325 § 20.)

SECT. 50 revised, 1933, 325 § 6; amended, 1935, 414 § 1; 1936, 93 § 2; amended, 1941, 319 § 1. (See 1935, 414 § 4; 1941, 319 §§ 3, 4.)

SECT. 50A added, 1934, 154 § 2 (providing for protection of interests in real estate held under tax sales or takings).

SECT. 50B added, 1946, 185 (requiring cities and towns to appropriate or provide sums necessary for foreclosure of tax titles by proceedings in the land court).

SECT. 51 amended, 1933, 254 § 55. (See 1933, 254 § 66.)

SECT. 52 revised, 1936, 392 § 1.

SECT. 53 revised, 1933, 164 § 3. (See 1933, 325 § 20.)

SECT. 54 amended, 1933, 325 § 7; 1938, 339 § 2.

SECT. 55 amended, 1933, 325 § 8.

SECT. 58 revised, 1932, 2; 1939, 250 § 2.

SECT. 59 amended, 1933, 254 § 56. (See 1933, 254 § 66.)

SECT. 60 revised, 1945, 130.

SECT. 61 revised, 1933, 325 § 9; amended, 1934, 48; 1936, 93 § 1. (See 1933, 325 § 20.)

SECT. 61A added, 1943, 188 (relative to taking for nonpayment of taxes lands subject to tax titles held by municipalities when the assessment unit is changed).

SECT. 62 revised, 1933, 325 § 10; first paragraph amended, 1934, 218; same paragraph revised, 1935, 414 § 2; second paragraph revised, 1935, 278; section revised, 1936, 392 § 2; second paragraph amended, 1941, 231; sentence inserted before last sentence in second paragraph, 1947, 133; paragraph inserted after the second paragraph, 1938, 415 § 5. (See 1935, 414 § 4.)

SECT. 63 amended, 1933, 325 § 11; revised, 1936, 392 § 3.

SECT. 65 amended, 1933, 325 § 12; 1938, 305.

SECT. 66 amended, 1935, 224 § 1. (See 1935, 224 § 6.)

SECT. 67 amended, 1935, 224 § 2. (See 1935, 224 § 6.)

SECT. 68 amended, 1935, 224 § 3; paragraph added at end, 1935, 354 § 1; section amended, 1935, 414 § 3. (See 1935, 224 § 6, 354 § 3, 414 § 4.)

SECT. 69 amended, 1935, 224 § 4; sentence added at end, 1945, 226 § 1. (See 1935, 224 § 6.)

SECT. 69A added, 1945, 226 § 2 (relative to the conclusiveness of decrees foreclosing tax titles).

SECT. 70 amended, 1935, 224 § 5. (See 1935, 224 § 6.)

SECT. 71 amended, 1941, 319 § 2. (See 1941, 319 §§ 3, 4.)

SECT. 75 amended, 1936, 189 § 1.

SECT. 76 revised, 1935, 318 § 1; amended, 1936, 189 § 2. (See 1935, 318 §§ 2, 8.)

SECT. 76A added, 1935, 354 § 2 (providing for redemption in part from tax sales in certain cases); paragraph added at end, 1939, 181; amended, 1953, 674 § 10. (See 1935, 354 § 3.)

SECT. 76B added, 1938, 415 § 6 (relative to the effect of errors or irregularities in respect to water rates and charges included in a tax title account).

SECT. 76C added, 1945, 268 (providing for notice to certain municipal officers of certain action in connection with tax titles).

SECT. 77, paragraph added at end, 1938, 339 § 3; amended, 1953, 654 § 37.

SECT. 77A added, 1945, 78 (relative to recording of deeds of cities and towns conveying land acquired through foreclosure of tax titles).

SECT. 77B added, 1947, 224 § 1 (making permanent certain temporary provisions of law relative to certain land acquired by municipalities). (See 1947, 224 § 2.) [For prior temporary legislation, see 1938, 358; 1939, 123; 1941, 296.]

SECT. 78 amended, 1933, 325 § 13; repealed, 1936, 194. (See 1933, 325 § 20.)

SECT. 79, second paragraph amended, 1933, 325 § 14; 1935, 173 § 1; section revised, 1941, 594 § 1.

SECT. 80 amended, 1933, 325 § 15; revised, 1935, 173 § 2; amended, 1941, 594 § 2. (See 1939, 123; 1941, 296.)

SECTS. 80A and 80B added, 1941, 594 § 3 (relative to the validity of title acquired at sales of lands of low value held by cities and towns under tax titles).

SECT. 80B revised, 1946, 302.

SECT. 82 amended, 1945, 267 § 1.

SECT. 83 amended, 1945, 267 § 2.

SECT. 84 revised, 1935, 260.

SECT. 84A revised, 1933, 325 § 16; 1935, 181 § 1. (See 1935, 181 § 2.)

SECT. 92 revised, 1933, 82 § 1; amended, 1934, 259 § 1.

SECT. 93 revised, 1943, 199; last sentence revised, 1945, 397 § 2. (See 1945, 397 § 3.)

SECT. 95 revised, 1933, 325 § 17; amended, 1934, 315 § 2; revised, 1935, 248 § 3; amended, 1939, 451 § 23; 1941, 380 § 6; sentence added at end, 1943, 107; revised, 1949, 202. (See 1934, 315 § 3.)

SECT. 97 revised, 1934, 151 § 1.

SECT. 104 revised, 1937, 43.

SECT. 105 revised, 1933, 168 § 3; 1941, 258 § 4.

Form 2 in schedule at end of chapter repealed. 1932, 54 § 1; schedule of forms at end of chapter stricken out, 1933, 168 § 3.

Chapter 60A. — Excise Tax on Registered Motor Vehicles in Lieu of Local Tax.

For legislation exempting certain disabled veterans from payment of certain motor vehicle excise taxes and registration fees, see 1948, 368.

SECT. 1, first paragraph amended, 1936, 384 § 1; last paragraph amended, 1936, 384 § 2; paragraph added at end, 1938, 111; section revised, 1938, 480 § 1; table revised, 1953, 653; third paragraph revised, 1953, 654 § 38; fourth paragraph amended, 1941, 718 § 1; revised, 1949, 342; amended, 1950, 666 § 1; 1951, 736 § 4; paragraph inserted after fourth paragraph, 1949, 401; same paragraph revised, 1950, 731; 1954, 548; sixth paragraph revised, 1953, 388; last paragraph revised, 1947, 644; 1952, 412; paragraph added at end, 1951, 165; section revised, 1954, 640 § 1; fifth paragraph revised, 1955, 320; amended, 1955, 403 § 4; revised, 1959, 273 § 1; sixth paragraph revised, 1955, 587 § 1; seventh paragraph amended, 1956, 328 § 1; last paragraph revised, 1957, 174. (See 1941, 718 § 2; 1951, 736 § 5; 1955, 403 § 14, 587 § 3; 1956, 328 § 2; 1959, 273 § 2.)

SECT. 1A added, 1949, 484 (providing for but one excise tax on a motor vehicle in each year in certain cases); sentence added at end, 1952, 285; repealed, 1955, 587 § 2. (See 1955, 587 § 3.)

SECT. 2 revised, 1936, 384 § 3; 1938, 480 § 2; amended, 1939, 366 § 4; 1950, 666 § 2; 1952, 400; 1953, 654 § 39; 1954, 373 § 1; revised, 1954, 640 § 2; sixth sentence revised, 1957, 375; ninth sentence revised, 1959, 371 § 1. (See 1954, 373 § 2; 1959, 371 § 2.)

SECT. 2A added, 1938, 492 § 1 (providing for the suspension of certificates of registration in cases of nonpayment of the excise on registered motor vehicles); last sentence stricken out, 1943, 18; second sentence revised, 1945, 443; section revised, 1953, 339 § 1; amended, 1958, 91. (See 1953, 339 § 2.)

SECT. 3 revised, 1936, 384 § 4; 1938, 480 § 3.

SECT. 4 revised, 1938, 480 § 4, 492 § 2.

SECT. 5 stricken out, 1953, 654 § 40.

SECT. 6 amended, 1936, 384 § 5; revised, 1938, 480 § 5.

Chapter 61. — Classification and Taxation of Forest Lands and Forest Products (former title Taxation of Forest Products and Classification and Taxation of Forest Lands).

Chapter stricken out, and new chapter 61 (with new title) inserted, 1941, 652 § 1. (See 1941, 652 § 2.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to chapter 61 as so inserted:

SECT. 1, first paragraph stricken out and two paragraphs inserted, 1943, 461 § 1; first paragraph amended, 1955, 705 § 1. (See 1943, 461 §§ 4 and 5.)

SECT. 2, first schedule revised, 1955, 705 § 2; second schedule and all preceding such schedule revised, 1943, 461 § 2. (See 1943, 461 §§ 4 and 5.)

SECT. 6 amended, 1943, 461 § 3. (See 1943, 461 §§ 4 and 5.)

SECT. 7 added, 1955, 705 § 3 (relative to the taxation of wild land).

Chapter 62. — Taxation of Incomes.

For legislation establishing an additional tax upon personal incomes to provide funds for old age assistance, see 1941, 729 §§ 9, 15; 1948, 503 § 5; 1949, 674 § 2; 1951, 386 § 2; 1953, 246 § 6; 1955, 707 § 5. (See also 1951, 800 §§ 1, 2, 3.)

For prior temporary legislation relative to the taxation of dividends of certain corporations, see 1933, 307, 357; 1935, 489; 1936, 82 § 1; 1937, 395; 1938, 489 §§ 2-5; 1939, 373; 1941, 331; 1943, 285. (See also 1945, 735.)

For temporary legislation providing for additional taxes upon personal incomes, see 1935, 480; 1936, 397; 1937, 422; 1938, 502; 1939, 454 § 19; 1941, 416 §§ 1, 3; 1943, 482 §§ 1, 3, 4; 1945, 557 §§ 1, 3, 4; 1948, 503 §§ 1, 4, 6; 1949, 674 § 2; 1951, 386 § 2; 1953, 246 § 2; 1955, 707 § 2; 1956, 354; 1957, 456; 1959, 31 §§ 2-4. (See also 1951, 800 §§ 1, 2, 3; 1953, 246 §§ 5, 15.)

For temporary legislation relative to the payment of income taxes by persons who served in the armed forces of the United States during the existing war, see 1946, 604.

For temporary legislation providing that income taxes shall be due and payable when the tax return therefor is required to be filed, see 1950, 816 § 2; affected, 1951, 750; 1952, 623; 1953, 246 § 5; 1954, 70 § 2. (See 1950, 816 § 4.)

SECT. 1, first sentence revised, 1954, 679 § 1; subsection (*a*), paragraph First revised, 1957, 491 § 1; 1958, 554 § 1; paragraph Fifth added, 1946, 539; subsection (*b*) revised, 1945, 735 § 1; amended, 1957, 445 § 1; revised, 1959, 556 § 1; subsection (*c*) amended, 1957, 445 § 2; paragraph Third added, 1935, 489 § 6; subsection (*e*) amended, 1935, 489 § 7; subsection (*g*) revised, 1954, 545; 1955, 635 § 1; subsection (*h*) added, 1954, 679 § 2. (See 1945, 735 § 5; 1954, 679 § 7; 1957, 445 § 3, 491 § 2; 1958, 554 § 2.)

SECT. 3 revised, 1943, 45 § 1.

SECT. 5, first sentence of subsection (*a*) revised, 1954, 679 § 3; subsection (*b*) amended, 1935, 489 § 8; revised, 1939, 486 § 1; first sentence stricken out and three sentences inserted, 1954, 679 § 4; first three sentences stricken out and four sentences inserted, 1956, 443 § 1; first sentence revised, 1957, 677 § 1; subsection (*c*) revised, 1934, 363 § 1; 1935, 481 § 1; amended and paragraph added at end, 1954, 599 § 1; subsection (*c*) revised, 1955, 635 § 2; amended, 1956, 607 § 1; revised, 1957, 540 § 1; amended, 1959, 556 § 2; subsections (*f*) and (*g*) added, 1954, 679 § 5; subsection (*f*), first paragraph amended, 1957, 435 § 1; subsection (*g*) revised, 1957, 677 § 2. (See 1934, 363 § 2; 1935, 481 § 2; 1939, 486 § 3; 1954, 679 § 7; 1956, 443 § 2, 607 § 2; 1957, 435 § 4, 540 § 3, 677 § 8.)

SECT. 5A added, 1955, 780 § 1 (relative to the taxation of income earned in the commonwealth by non-residents); subsection (*c*), first sentence revised, 1957, 677 § 3; subsection revised, 1958, 491 § 1; subsection (*d*), second sentence revised, 1957, 677 § 4. (See 1957, 677 § 8; 1958, 491 § 3.)

SECT. 6, first paragraph revised, 1954, 611 § 1; amended, 1955, 780 § 2; first paragraph revised, 1957, 677 § 5; clause (*a*), sentence added at end, 1947, 485 § 1; clause (*b*) amended, 1956, 460 § 1; clause (*c*) revised, 1956, 517 § 1; 1957, 448 § 1; clause (*g*) revised, 1935, 436 § 1; amended, 1956, 460 § 2; clause (*h*) revised, 1943, 511; 1951, 800 § 4; 1953, 514; 1954, 251 § 1, 657 § 1; 1958, 510 § 1; clause (*i*) added, 1955, 717 § 1.

(See 1935, 436 § 2; 1947, 485 § 3; 1951, 800 § 6; 1954, 251 § 2, 611 § 3, 657 § 2; 1955, 717 § 2, 780 § 10; 1956, 460 § 3, 157 § 2; 1957, 448 § 3; 1958, 510 § 2.)

SECT. 6A added, 1955, 780 § 2A (providing for a credit for taxes paid to another state for income earned therein); revised, 1957, 448 § 2, 677 § 6; 1958, 489 § 1. (See 1955, 780 § 10; 1957, 448 § 3, 677 § 8; 1958, 489 § 2.)

SECT. 7 amended, 1953, 654 § 41; first paragraph stricken out, 1955, 618 § 1; second and third paragraphs revised, 1954, 599 § 2; same paragraphs stricken out and three paragraphs inserted, 1955, 635 § 3; first paragraph amended, 1957, 446 § 1; third paragraph revised, 1957, 540 § 2; section revised, 1958, 152; first paragraph revised, 1958, 576 § 1; clause (j) revised, 1959, 556 § 3; third paragraph amended, 1958, 576 § 2. (See 1958, 576 § 3.)

SECTS. 7A and 7B added, 1935, 438 § 1 (relative to income taxation of gains from certain transactions in real property).

SECT. 7A revised, 1959, 461.

SECT. 7B amended, 1953, 654 § 42.

SECT. 8, paragraph (a) revised, 1951, 800 § 5; paragraph (d) revised, 1957, 644 § 1; paragraph (c) revised, 1954, 560; paragraph (g) amended, 1947, 83 § 2; 1952, 555; paragraph (h) added, 1945, 625 § 4; paragraphs (i) and (j) added, 1947, 485 § 2; paragraph (k) added, 1954, 443; paragraph (l) added, 1957, 677 § 7. (See 1947, 485 § 3; 1951, 800 § 6; 1953, 208; 1957, 644 § 5, 677 § 8.)

SECT. 9 amended, 1955, 592 § 1; revised, 1957, 644 § 2. (See 1957, 644 § 5.)

SECT. 10 amended, 1954, 387 § 1; revised, 1955, 592 § 2; paragraph added at end, 1955, 780 § 3; section revised, 1957, 644 § 3. (See 1954, 387 § 2; 1955, 780 § 10; 1957, 644 § 5.)

SECT. 11 revised, 1955, 592 § 3.

SECT. 12A added, 1954, 679 § 6 (relative to the exemption of certain unearned income); first sentence revised, 1957, 437 § 1. (See 1954, 679 § 7; 1957, 437 § 2.)

SECT. 13 revised, 1955, 527; 1957, 644 § 4. (See 1957, 644 § 5.)

SECT. 16 amended, 1953, 654 § 43.

SECT. 17 revised, 1955, 780 § 4. (See 1955, 780 § 10.)

SECT. 18. See Sect. 18 of Chapter 58 in this Table.

SECT. 21A added, under caption, 1936, 310 (providing that individuals under certain circumstances shall be presumed to be inhabitants of the Commonwealth for income tax purposes); repealed, 1938, 489 § 8.

SECT. 22 revised, 1939, 486 § 2; clause (a) revised, 1954, 611 § 2; paragraph added after first paragraph, 1954, 648 § 1; revised, 1957, 435 § 2; paragraph added at end, 1955, 780 § 5; amended, 1957, 435 § 3; paragraph added at end, 1958, 491 § 2. (See 1939, 486 § 3; 1954, 611 § 3; 1955, 780 § 10; 1957, 435 § 4; 1958, 491 § 3.)

SECT. 24 revised, 1943, 45 § 2; amended, 1954, 70 § 1. (See 1954, 70 § 2.)

SECT. 25, third sentence revised, 1955, 592 § 4; last sentence revised, 1947, 322 § 1.

SECT. 25A added, 1935, 438 § 3 (relative to returns of taxable gains from certain transactions in real property).

SECT. 27 repealed, 1956, 128.

SECT. 29 revised, 1954, 648 § 2.

SECT. 30 amended, 1935, 152 ; first sentence amended, 1951, 452 § 1; revised, 1956, 310 § 1; section revised, 1958, 509 § 1. (See 1956, 310 § 3; 1958, 509 § 3.)

SECT. 31 revised, 1943, 45 § 3.

SECT. 32, third sentence amended, 1951, 452 § 2; 1953, 654 § 44.

SECT. 33, first paragraph revised, 1943, 45 § 4; 1954, 391 § 1; amended, 1955, 780 § 6; second paragraph revised, 1945, 735 § 2; paragraph inserted before last paragraph, 1932, 186; last paragraph amended, 1958, 54 § 1. (See 1945, 735 § 5; 1954, 391 § 2; 1955, 780 § 10; 1958, 54 § 2.)

SECT. 34 repealed, 1947, 483 § 2.

SECT. 36 amended, 1933, 167 § 2; revised, 1955, 539 § 1.

SECT. 37 revised, 1933, 350 § 1; amended, 1949, 698 § 1; first sentence revised, 1956, 310 § 2; sentence inserted after second sentence, 1954, 605 § 1; section revised, 1958, 509 § 2. (See 1933, 350 § 9; 1949, 698 § 2; 1954, 605 § 2; 1956, 310 § 3; 1958, 509 § 3.)

SECT. 37A added, 1933, 350 § 2 (providing for the payment of income taxes in two installments); amended, 1947, 322 § 2; revised, 1954, 69; temporarily affected, 1950, 816 § 2; 1951, 750; 1952, 623 § 2; 1953, 246 § 5. (See 1933, 350 § 9; 1950, 816 § 4.)

SECT. 38 stricken out, 1953, 654 § 45.

SECT. 39, first sentence revised, 1933, 350 § 3; 1956, 300. (See 1933, 350 § 9.)

SECT. 41 revised, 1932, 152; 1933, 350 § 4. (See 1933, 350 § 9.)

SECT. 43 amended, 1933, 350 § 5; 1937, 135 § 2; first sentence stricken out and three sentences inserted, 1951, 528; section amended, 1953, 654 § 46; revised, 1954, 269; 1955, 545; 1959, 17 § 2. (See 1933, 350 § 9.)

SECT. 44 amended, 1953, 654 § 47.

SECT. 45 amended, 1939, 451 § 24; 1945, 523 § 2; 1953, 654 § 48; revised, 1958, 523 § 2. (See 1958, 523 § 4.)

SECT. 46 revised, 1933, 350 § 6; 1955, 243. (See 1933, 350 § 9.)

SECT. 55 revised, 1958, 298 § 1. (See 1958, 298 § 2.)

SECT. 56 revised, 1943, 45 § 5; 1955, 539 § 2; two paragraphs added at end, 1959, 315.

SECT. 58 revised, 1955, 661.

SECT. 61 added, 1952, 262 (defining the term "received" as relates to income); revised, 1956, 597 § 1. (See 1956, 597 § 2.)

SECT. 62 added, 1955, 618 § 2 (relating to the method of accounting required under the income tax law).

SECT. 63 added, 1958, 308 § 1 (permitting income to be reported on the installment method under certain circumstances). (See 1958, 308 § 2.)

Chapter 62A. — Simplified Method of Computing Individual Income Taxes.

New chapter inserted, 1955, 692 § 1. (See 1955, 692 § 2.)

SECT. 2 revised, 1957, 544 § 1. (See 1957, 544 § 2.)

Chapter 62B. — Withholding of Taxes on Wages and Declaration of Estimated Income Tax.

New chapter inserted, 1959, 17 § 1.

Chapter 63. — Taxation of Corporations.

SECT. 1, paragraph defining "Bank" revised, 1943, 472; paragraph defining "Net income" revised, 1933, 327 § 1. (See 1933, 327 § 7.)

SECT. 2 amended, 1933, 327 § 2; 1939, 451 § 25; 1941, 509 § 3; 1953, 654 § 49; temporarily affected, 1951, 386 § 5; 1953, 246 § 9; 1955, 707 § 8; 1957, 456 § 8; 1959, 31 § 7. (See 1933, 327 § 7; 1941, 509 § 9.)

SECT. 3 amended, 1933, 254 § 58; 1934, 323 § 5; 1945, 161 § 2; 1953, 654 § 50; 1955, 611 § 1. (See 1933, 254 § 66; 1934, 323 § 11.)

SECT. 4 amended, 1939, 368; 1941, 509 § 4. (See 1941, 509 § 9.)

SECT. 5 amended, 1933, 254 § 59; repealed, 1934, 323 § 1. (See 1933, 254 § 66; 1934, 323 § 11.)

SECT. 6 repealed, 1934, 323 § 1. (See 1934, 323 § 11.)

SECT. 11 revised, 1959, 456 § 1. (See 1959, 456 § 5.)

SECT. 12, paragraph (c) amended, 1937, 274 § 1; 1955, 432 § 5; paragraph (h) added, 1934, 362; paragraph (i) added, 1948, 544 § 7A; paragraphs (j) and (k) added, 1953, 292; paragraph (l) added, 1954, 354; paragraph (m) added, 1954, 436; paragraph (n) added, 1954, 543; paragraph (o) added, 1955, 476 § 9; paragraph (p) added, 1956, 465 § 30; paragraph (q) added, 1956, 463; paragraph (r) added, 1957, 701 § 11; revised, 1958, 606 § 24; paragraph (s) added, 1958, 603 § 18. (See 1955, 432 §§ 2, 4, 24; 476 § 10.)

SECT. 13 revised, 1959, 456 § 2. (See 1959, 456 § 5.)

SECT. 17 revised, 1959, 456 § 3. (See 1959, 456 § 5.)

SECT. 18 revised, 1939, 447 § 1; 1948, 486 § 1; amended, 1954, 515 § 1. (See 1939, 447 § 3; 1948, 486 §§ 2-4.)

SECT. 18A amended, 1939, 447 § 2; 1953, 654 § 51; revised, 1959, 456 § 4. (See 1939, 447 § 3.)

SECT. 20 amended, 1941, 509 § 5; revised, 1943, 531 § 1; second paragraph revised, 1958, 575; fourth paragraph amended, 1953, 654 § 52. (See 1941, 509 § 9; 1943, 531 §§ 2, 3, 7; 1948, 587.)

SECT. 22 revised, 1945, 721 § 1; amended, 1946, 387 § 1; temporarily affected, 1951, 386 § 6; 1953, 246 § 10; 1955, 707 § 9; 1957, 456 § 9; 1959, 31 § 8. (See 1945, 721 § 5; 1946, 387 § 7.)

SECT. 23 revised, 1945, 721 § 2; amended, 1946, 387 § 2. (See 1945, 721 § 5; 1946, 387 § 7.)

SECT. 24 amended, 1943, 531 § 4; revised, 1945, 721 § 3. (See 1943, 531 § 7; 1945, 721 § 5.)

SECT. 25 amended, 1943, 531 § 5; 1945, 721 § 4; 1953, 654 § 53. (See 1943, 531 § 7; 1945, 721 § 5.)

SECT. 26 amended, 1946, 387 § 3; 1953, 654 § 54. (See 1946, 387 § 7.)

SECT. 27 amended, 1946, 387 § 4. (See 1946, 387 § 7.)

SECT. 28 amended, 1939, 451 § 27; 1941, 509 § 6; revised, 1943, 531 § 6; paragraph inserted after second paragraph, 1945, 342; second and third paragraphs revised, 1946, 387 § 5; third paragraph revised, 1950, 427; paragraph inserted after third paragraph, 1953, 633; last paragraph amended, 1953, 654 § 55. (See 1941, 509 § 9; 1943, 531 § 7; 1946, 387 § 7.)

SECT. 29A added, 1946, 387 § 6 (relative to the taxation of marine and fire and marine insurance companies). (See 1946, 387 § 7.)

SECT. 29B added, 1947, 488 § 4 (relative to the taxation of the exchange of reciprocal or inter-insurance contracts).

SECTS. 30-51. For temporary legislation providing for further additional taxes levied under these sections, see 1947, 598; 1948, 574; 1949, 674; 1950, 608; 1951, 386; 1953, 246; 1955, 707 § 1; 1956, 354; 1957, 456.

SECTS. 30-60. For legislation establishing an additional tax under these sections to provide funds for old age assistance, see 1941, 729 §§ 9, 15.

For temporary legislation providing for additional taxes levied under these sections, see 1935, 480; 1936, 397; 1937, 422; 1938, 502; 1939, 454 § 19; 1941, 416 §§ 1, 3; 1943, 482 §§ 1, 3, 4; 1945, 557 §§ 1, 3, 4; 1948, 503 §§ 1, 4, 6; 574; 1956, 354; 1957, 456 § 1; 1959, 31 § 1.

SECT. 30, paragraph 2 revised, 1943, 459 § 1; paragraph 3, subdivision (a) revised, 1939, 24 § 5; sentence added at end, 1947, 622 § 1; paragraph contained in lines 48-51 amended, 1933, 58 § 3; revised, 1943, 459 § 2; stricken out, 1956, 550 § 1; paragraph contained in lines 52-69 revised, 1934, 237 § 1; paragraph 3 revised, 1958, 679 § 1; paragraph 4, subdivision (a) revised, 1939, 24 § 6; subdivision (b), last paragraph stricken out, 1956, 550 § 2; sentence added at end, 1947, 622 § 2; paragraph contained in lines 70-74 amended, 1933, 58 § 4; revised, 1934, 237 § 1; 1943, 459 § 3; paragraph 4 revised, 1958, 679 § 2; paragraph 5 revised, 1933, 327 § 3; paragraph 6 revised, 1956, 550 § 3. (See 1933, 58 § 5, 327 § 7; 1934, 237 § 2; 1947, 622 § 5; 1956, 550 § 13; 1958, 679 § 3.)

SECT. 32 revised, 1933, 342 § 1; amended, 1936, 362 § 5; 1939, 363 § 1; revised, 1956, 550 § 4; 1957, 577 § 1; subsection (b) revised, 1958, 406 § 1. (See 1933, 342 § 6; 1936, 362 § 8; 1939, 363 § 2; 1956, 550 § 13; 1957, 577 § 3; 1958, 406 § 3.)

SECT. 32A amended, 1933, 342 § 2; revised, 1956, 550 § 5. (See 1933, 342 § 6; 1956, 550 § 13.)

SECT. 33 revised, 1933, 303 § 1. (See 1933, 303 § 3.)

SECT. 34 amended, 1933, 327 § 4. (See 1933, 327 § 7.)

SECT. 35 revised, 1933, 58 § 1; amended, 1953, 654 § 56; revised, 1956, 550 § 6. (See 1956, 550 § 13.)

SECT. 36 revised, 1933, 327 § 5; amended, 1935, 473 § 2; second sentence revised, 1950, 506; first two sentences stricken out and sentence inserted, 1954, 270 § 1; section amended, 1953, 654 § 57; paragraph added at end, 1954, 270 § 2; section revised, 1955, 613; second sentence revised, 1956, 550 § 7. (See 1933, 327 § 7; 1935, 473 § 7; 1956, 550 § 13.)

SECT. 38, paragraph 10 added at end, 1933, 342 § 3. (See 1933, 342 § 6.)

SECT. 38B, first sentence amended, 1953, 654 § 58; last paragraph amended, 1935, 473 § 3; revised, 1956, 379 § 2; section revised, 1956, 550 § 8. (See 1935, 473 § 7; 1956, 550 § 13.) [For temporary legislation affecting taxation, during the years 1934 to 1946, inclusive, of corporations subject to this section, see 1934, 317 § 1; 1935, 489 § 4; 1937, 395 § 5; 1938, 489 § 6; 1939, 373 § 5; 1941, 331 § 5; 1943, 285 § 5.]

SECT. 38C revised, 1937, 383 § 1. (See 1937, 383 § 3.)

SECT. 39, subsection (1) revised, 1936, 362 § 6; last paragraph amended, 1933, 327 § 6; new paragraph added at end, 1933, 342 § 4; section revised, 1956, 550 § 9; 1957, 577 § 2; subsection (b) revised, 1958, 406 § 2. (See 1933, 327 § 7, 342 § 6; 1936, 362 § 8; 1956, 550 § 13; 1957, 577 § 3; 1958, 406 § 3.)

SECT. 39A revised, 1933, 303 § 2; first paragraph amended, 1934, 134. (See 1933, 303 § 3.)

SECT. 39C revised, 1956, 550 § 10. (See 1956, 550 § 13.)

SECT. 40 revised, 1933, 58 § 2.

SECT. 42, last sentence amended, 1932, 180 § 11; section revised, 1933, 342 § 5; second sentence revised, 1956, 550 § 11; last sentence stricken out, 1953, 654 § 59. (See 1933, 342 § 6; 1956, 550 § 13.)

SECT. 42B revised, 1937, 383 § 2. (See 1937, 383 § 3.)

SECT. 43 repealed, 1945, 735 § 3. (See 1933, 307 § 9A; 1935, 489 § 2; 1937, 395 § 2; 1938, 489 § 3; 1939, 373 § 2; 1941, 331 § 2; 1943, 285 § 2.)

SECT. 44 amended, 1935, 473 § 4; 1936, 362 § 7; last sentence revised, 1955, 549 § 1. (See 1935, 473 § 7; 1936, 362 § 8.)

SECT. 45 amended, 1933, 195 § 1; revised, 1935, 473 § 5; amended, 1943, 395; 1950, 505; first sentence revised, 1955, 549 § 2. (See 1933, 195 § 2; 1935, 473 § 7.)

SECT. 46 revised, 1954, 193; sentence added at end, 1955, 549 § 3.

SECT. 47 stricken out, 1953, 654 § 60.

SECT. 48 revised, 1935, 473 § 1; 1956, 379 § 1. (See 1935, 473 § 7.)

For temporary legislation providing that certain taxes payable under this section shall be due and payable when the tax return therefor is required to be filed, see 1950, 816; affected, 1951, 750; 1952, 623 § 2; 1953, 246 § 5; 1954, 70 § 2.

SECT. 49 amended, 1953, 654 § 61.

SECT. 51, first sentence stricken out and three sentences inserted, 1951, 529; section amended, 1953, 654 § 62; 1954, 515 § 2; revised, 1957, 434 § 1; 1958, 503 § 1. (See 1957, 434 § 2; 1958, 503 § 2.)

SECT. 52, second sentence amended, 1946, 394 § 1; fourth sentence amended, 1946, 394 § 2; eighth sentence amended, 1955, 611 § 2.

SECT. 52A added, under caption, 1951, 641 § 1 (relative to taxation of certain utility corporations); subdivision (1), paragraph (b) amended, 1952, 344; 1955, 611 § 3; paragraph (d) added, 1957, 629 § 1; subdivision (4) amended, 1954, 515 § 3; clause Fifth revised, 1954, 490; subdivisions (6) and (7) amended, 1953, 654 § 63; subdivision (6) amended, 1954, 515 § 4; revised, 1956, 555 § 1; subdivision (7) amended, 1956, 555 § 2; subdivision (9) amended, 1955, 611 § 4. (See 1951, 641 §§ 18, 19; 1956, 555 §§ 3, 4; 1957, 629 § 2.)

SECT. 53, first paragraph amended, 1933, 254 § 60; 1941, 509 § 7; 1951, 641 § 11; clause Third amended, 1955, 611 § 5; clause Fourth revised, 1934, 323 § 6; stricken out, 1951, 641 § 11. (See 1933, 254 § 66; 1934, 323 § 11; 1941, 509 § 9; 1951, 641 §§ 18, 19.)

SECT. 54, paragraph in lines 9-17 amended, 1933, 254 § 61; same paragraph revised, 1934, 323 § 7; last paragraph amended, 1934, 323 § 7A; section repealed, 1951, 641 § 2. (See 1933, 254 § 66; 1934, 323 § 11; 1951, 641 §§ 18, 19.)

SECT. 55, first paragraph amended, 1936, 134; section amended, 1939, 24 § 7; second last paragraph revised, 1947, 622 § 3; section revised, 1951, 641 § 12. (See 1947, 622 § 5; 1951, 641 §§ 18, 19.)

SECT. 56A revised, 1934, 317 § 3; amended, 1951, 641 § 13. (See 1934, 317 § 4; 1951, 641 §§ 18, 19.)

SECT. 58 amended, 1951, 641 § 14. (See 1951, 641 §§ 18, 19.)

SECT. 59 amended, 1934, 323 § 8; 1951, 641 § 15. (See 1934, 323 § 11; 1951, 641 §§ 18, 19.)

SECT. 60 amended, 1939, 451 § 28; 1941, 509 § 8; 1954, 515 § 5; 1953, 654 § 64. (See 1941, 509 § 9.)

SECT. 67, third sentence revised, 1956, 550 § 12; sentence added at end, 1951, 641 § 16. (See 1951, 641 §§ 18, 19; 1956, 550 § 13.)

SECT. 68A amended, 1939, 24 § 8; revised, 1947, 622 § 4; amended, 1954, 515 § 6. (See 1947, 622 § 5.)

SECT. 69 amended, 1951, 641 § 17. (See 1951, 641 §§ 18, 19.)

SECT. 70 revised, 1935, 473 § 6. (See 1935, 473 § 7.)

SECT. 71 amended, 1933, 167 § 3; 1939, 451 § 29; 1945, 523 § 3; 1953, 654 § 65; revised, 1954, 515 § 7; first sentence revised, 1958, 523 § 3. (See 1958, 523 § 4.)

SECT. 71A amended, 1935, 150; 1939, 451 § 30; 1953, 654 § 66; revised, 1958, 305.

SECT. 71B added, 1937, 135 § 3 (providing that applications for abatement or correction of taxes, made pursuant to any provision of this chapter, shall be in writing upon forms approved by the commissioner); amended, 1953, 654 § 67.

SECT. 76 revised, 1954, 461 § 1. (See 1954, 461 §§ 3, 4.)

SECT. 81 revised, 1939, 24 § 9.

Chapter 63A. — Taxation of Certain Corporations, Associations and Organizations Engaged in the Sale of Alcoholic Beverages.

For temporary legislation providing for additional taxes upon certain corporations, see 1948, 503 §§ 3, 4; 1949, 674 § 4; 1951, 386 §§ 4, 7; 1953, 246 §§ 8, 11, 15; 1955, 495, 707 § 7; 1956, 354; 1957, 456 § 7; 1959, 31 § 6.

For temporary legislation providing that certain taxes under this chapter shall be due and payable when the tax return therefor is required to be filed, see 1950, 816; affected, 1951, 750; 1952, 623; 1953, 246.

New chapter inserted, 1947, 632 § 1. (See 1947, 632 § 3.)

Chapter stricken out and new chapter 63A inserted, 1955, 580 § 1. (See 1955, 580 § 2.)

For prior changes see Table of Changes contained in Acts and Resolves of 1954.

Chapter 64. — Taxation of Stock Transfers.

For prior changes see Table of Changes contained in Acts and Resolves of 1953.

Chapter repealed, 1954, 353 § 1. (See 1954, 353 §§ 2, 3.)

Chapter 64A. — Taxation of Sales of Gasoline (former title, Taxation of Sales of Gasoline and Certain Other Motor Vehicle Fuel).

Title changed, 1956, 619 § 3.

Chapter affected, 1932, 248; 1935, 336; 1936, 398; 1938, 431 § 2; 1939, 408; 1941, 330; 1943, 270; 1945, 571; 1949, 744 § 3.

SECT. 1, paragraph (c) revised, 1957, 617 § 1; paragraph (d) revised, 1936, 357 § 1; amended, 1948, 492 § 1; revised, 1951, 414 § 1; definition of "Special fuels" stricken out, 1956, 619 § 4; sentence defining "Diesel engine fuel" added, 1947, 666 § 1; paragraph (e) revised, 1957, 617 § 2; paragraph (f) revised, 1957, 617 § 3; paragraph (g) amended, 1941, 490 § 16; paragraph (i) added, 1957, 617 § 4. (See 1936, 357 § 3; 1947, 666 §§ 2A, 4; 1956, 619 § 6; 1957, 617 § 13.)

SECT. 2 revised, 1957, 617 § 5. (See 1957, 617 § 13.)

SECT. 3, last sentence amended, 1943, 420 § 1; 1957, 383 § 1; section amended, 1957, 617 § 8. (See 1957, 383 § 4, 617 § 13.)

SECT. 4 revised, 1938, 431 § 1; paragraph added at end, 1945, 556; section revised, 1949, 744 § 1; second sentence revised, 1951, 699 § 2; 1952, 556 § 12; 1956, 718 § 12; section amended, 1953, 654 § 72; paragraph added at end, 1957, 617 § 6. (See 1951, 699 §§ 3-5; 1952, 556 §§ 13-15; 1956, 718 §§ 14, 15; 1957, 617 § 13.)

SECT. 4A added, 1947, 666 § 2 (providing for the taxation of Diesel engine fuel); next to last sentence revised, 1948, 464; section stricken out and sections 4A-4E inserted, 1949, 744 § 2 (relative to the sale, distribution and rate of tax on Diesel engine fuel); repealed, 1956, 619 § 5. (See 1947, 666 §§ 2A, 4; 1956, 619 § 6.)

SECT. 4A revised, 1951, 414 § 2; repealed, 1956, 619 § 5.

SECT. 5 amended, 1936, 357 § 2; 1939, 451 § 32; revised, 1943, 420 § 2; amended, 1953, 654 § 73; revised, 1957, 383 § 2; amended, 1957, 617 § 9; revised, 1958, 336. (See 1936, 357 § 3; 1957, 383 § 4, 617 § 13.)

SECT. 6 amended, 1957, 617 § 10. (See 1957, 617 § 13.)

SECT. 7 revised, 1943, 420 § 3; first sentence revised, 1948, 492 § 2; amended, 1952, 377 § 3; 1956, 552 § 1; section amended, 1949, 200; 1953, 654 § 74; section revised, 1957, 383 § 3, 728 § 1. (See 1956, 552 § 3; 1957, 383 § 4, 728 § 5.)

SECT. 7A added, 1956, 552 § 2 (relative to the reimbursement of the excise tax on certain fuels used by persons engaged in the business of farming).

SECT. 8A added, 1956, 559 (providing for the sale of certain motor vehicle fuel); revised, 1957, 617 § 7; sentence added at end, 1959, 540 § 1. (See 1957, 617 § 13; 1959, 540 § 2.)

SECT. 9 amended, 1953, 654 § 75.

SECT. 10 amended, 1939, 451 § 33; revised, 1943, 420 § 4; second sentence revised, 1953, 654 § 76; amended, 1957, 617 § 11. (See 1957, 617 § 13.)

SECT. 11 amended, 1957, 617 § 12. (See 1957, 617 § 13.)

SECT. 12 revised, 1941, 490 § 17.

Chapter 64B. — Excise upon Charges for Meals served to the Public.

New chapter inserted, 1941, 729 § 17. (See 1941, 729 § 15.)

SECT. 1, definition of "taxable charge", revised, 1945, 663 § 1; 1946, 326 § 1; 1949, 725; 1953, 627 § 1.

SECT. 2 revised, 1945, 663 § 2; 1946, 326 § 2; amended, 1953, 654 § 77.

SECT. 2A added, 1953, 627 § 2 (exempting certain meals from the excise imposed by this chapter).

SECT. 3 revised, 1945, 663 § 3; 1946, 326 § 3.

SECT. 4 revised, 1953, 617.

SECT. 5 amended, 1953, 654 § 78.

SECT. 6, paragraph added at end, 1943, 521 § 2; amended, 1948, 658; 1953, 654 § 79; second paragraph revised, 1954, 503 § 1. (See 1954, 503 § 2.)

SECT. 7 revised, 1946, 564; next to last sentence stricken out and two sentences inserted. 1953, 654 § 80; third sentence revised, 1957, 368 § 1. (See 1957, 368 § 2.)

SECT. 10 amended, 1953, 654 § 81; revised, 1955, 540 § 4. (See 1955, 540 §§ 5-7.)

Chapter 64C. — Cigarette Excise.

New chapter inserted, 1945, 547 § 1. (See 1945, 547 §§ 2, 3; 731 § 9; 1949, 771.)

For legislation providing for temporary cigarette taxes, see 1939, 454 §§ 1-18; 1941, 417, 715; 1943, 407; 1945, 731 § 9; 1949, 771; 1951, 386 § 9; 1953, 246 § 13; 1955, 707 § 11; 1956, 354; 1957, 456 § 11; 1958, 457 § 1; 1959, 31 § 10.

For legislation providing for temporary taxes on cigars and tobacco, see 1949, 796 § 2 (see 1949, 796 § 3); repealed, 1950, 827.

SECT. 2 amended, 1956, 90 § 1. (See 1956, 90 § 3.)

SECT. 3 revised, 1956, 90 § 2. (See 1956, 90 § 3.)

SECT. 4 amended, 1953, 654 § 82.

SECT. 6 amended, 1953, 654 § 83; 1956, 720 § 1. (See 1956, 720 §§ 2-4.)

SECT. 7, first two sentences stricken out and three sentences inserted, 1957, 373 § 1. (See 1957, 373 § 2.)

SECT. 9, paragraph added at end, 1956, 322 § 1. (See 1956, 322 § 2.)

SECT. 13, paragraph (b) revised, 1958, 633 § 1; paragraph (d) revised, 1958, 633 § 2.

SECT. 15 amended, 1958, 633 § 3.

SECT. 22 amended, 1953, 654 § 84.

SECT. 23 amended, 1953, 654 § 85.

SECT. 24 amended, 1956, 239.

SECT. 25 amended, 1953, 654 § 86.

Chapter 64D. — Excise on Deeds, Instruments and Writings.

New chapter inserted, 1951, 710 § 1. (See 1951, 710 § 2.)

SECT. 1 revised, 1953, 303.

SECT. 2, sentence inserted after first sentence, 1955, 651 § 2.

SECT. 3, five paragraphs added at end, 1955, 651 § 1.

SECTS. 3A and 3B added, 1954, 550 (establishing a fund for the purchase by registries of deeds of documentary stamps to be sold by said registries).

SECT. 4 amended, 1953, 654 § 87.

SECT. 6, second sentence stricken out and two sentences inserted, 1953, 503.

Chapter 64E. — Taxation of Special Fuels Used in the Propulsion of Motor Vehicles.

New chapter inserted, 1956, 619 § 1. (See 1956, 619 § 6.)

SECT. 3, last paragraph revised, 1957, 382 § 1. (See 1957, 382 § 4.)

SECT. 4, first paragraph amended, 1956, 718 § 12A. (See 1956, 718, §§ 14, 15.)

SECT. 5 revised, 1957, 382 § 2, 728 § 2. (See 1957, 382 § 4, 728 § 5.)

SECT. 7 revised, 1957, 382 § 3. (See 1957, 382 § 4.)

Chapter 64F. — Taxation of Fuel and Special Fuels Acquired Outside and Used within the Commonwealth.

New chapter inserted, 1956, 619 § 2. (See 1956, 619 § 6.)

SECT. 3, first paragraph revised, 1956, 718 § 12B; two sentences added, 1957, 728 § 3. (See 1956, 718 §§ 14, 15; 1957, 728 § 5.)

SECT. 4, first sentence revised, 1957, 377 § 1. (See 1957, 377 § 4.)

SECT. 6, second sentence revised, 1956, 718 § 12C. (See 1956, 718 §§ 14, 15.)

SECT. 7, second paragraph revised, 1957, 377 § 2. (See 1957, 377 § 4.)

SECT. 8 revised, 1957, 377 § 3. (See 1957, 377 § 4.)

Chapter 65. — Taxation of Legacies and Successions.

For legislation establishing an additional tax upon legacies and successions to provide funds for old age assistance, see 1941, 729 §§ 9A, 15.

For temporary legislation providing for additional taxes upon legacies and successions, see 1935, 480; 1936, 397; 1937, 422; 1938, 502; 1939, 454 §§ 20, 22; 1941, 416 §§ 2, 3; 1943, 482 §§ 2, 3, 4; 1945, 557 §§ 2, 3, 4; 1948, 503 §§ 2, 4; 1949, 674 § 3; 1951, 386 § 3; 1953, 246 § 7; 1955, 707 § 6; 1956, 354; 1957, 456 § 6; 1959, 31 § 5.

SECT. 1, table revised, 1933, 293; 1941, 415 § 1; first sentence revised, 1941, 605 § 1; amended, 1949, 792 § 1; revised, 1950, 556; 1955, 596; paragraph added after table, 1949, 792 § 2. (See 1941, 415 § 2, 605 § 2.)

SECT. 3 amended, 1939, 380.

SECT. 7 revised, 1957, 429 § 1. (See 1957, 429 § 2.)

SECT. 9, first sentence revised, 1952, 445 § 1; paragraph added at end, 1954, 595 § 1; section revised, 1957, 502 § 1. (See 1957, 502 § 2.) (See 1954, 595 §§ 2, 3; 1956, 488.)

SECT. 11 amended, 1949, 749.

SECT. 14 amended, 1953, 654 § 88.

SECT. 15 revised, 1948, 543 § 1. (See 1948, 543 § 2.)

SECTS. 24A–24F added, 1933, 319 (providing reciprocal relations in respect to death taxes upon estates of non-resident decedents).

SECT. 25 amended, 1939, 451 § 34; revised, 1939, 494 § 1; 1954, 572 § 1.

SECT. 26 amended, 1939, 451 § 35; revised, 1939, 494 § 2; amended, 1953, 654 § 89; revised, 1954, 572 § 2.

SECT. 27 amended, 1953, 654 § 90.

SECT. 32 amended, 1939, 451 § 36; last sentence stricken out, 1945, 523 § 4.

SECT. 35 revised, 1958, 313.

SECT. 35A added, 1957, 369 § 1 (relative to the furnishing of certain certificates and other papers relating to the tax on legacies and succession and establishing fees therefor).

Chapter 65A. — Taxation of Transfers of Certain Estates.

SECT. 1, paragraph added at end, 1932, 284; second paragraph revised, 1933, 316 § 1; section amended, 1937, 420 § 1. (See 1933, 316 § 2; 1937, 420 § 4.)

SECT. 5 stricken out, and new sections 5–5B inserted, 1943, 519 § 1 (providing for the equitable apportionment in certain cases of estate taxes and the collection and payment thereof). (See 1943, 519 § 2.)

SECT. 5 revised, 1948, 605 § 1. (See 1948, 605 §§ 3, 4.)

SECT. 5A revised, 1948, 605 § 2. (See 1948, 605 §§ 3, 4.)

SECT. 6 amended, 1937, 420 § 2; last sentence revised, 1943, 471; 1945, 529; section amended, 1953, 654 § 91. (See 1937, 420 § 4.)

SECT. 7 repealed, 1937, 420 § 3. (See 1937, 420 § 4.)

Chapter 65B. — Settlement of Disputes respecting the Domicile of Decedents for Death Tax Purposes.

New chapter inserted, 1943, 428 § 1. (See 1943, 428 § 3.)

SECT. 3 amended, 1953, 654 § 92.

SECT. 4, paragraph (a) amended, 1953, 654 § 93.

Chapter 66. — Public Records.

SECT. 1 amended, 1945, 580 § 7.

SECT. 3 revised, 1936, 305; 1941, 662 § 1.

SECT. 4 amended, 1950, 310.

SECTS. 5, 7 and 16 affected, 1941, 662 § 2.

SECT. 5A added, 1958, 626 § 10 (relative to the records of certain public boards and commissions).

SECT. 8 amended, 1943, 128; 1949, 395 § 2. (See 1949, 395 § 3; 1950, 182, 350.)

SECT. 8A added, 1951, 56 (relative to the destruction of certain records by city and town clerks).

SECT. 10 revised, 1948, 550 § 5.

SECT. 13, sentence added at end, 1951, 200.

SECT. 15 amended, 1939, 40.

SECT. 16 revised, 1948, 550 § 6.

SECT. 17A added, 1941, 630 § 1 (making records relating to old age assistance, aid to dependent children and aid to the blind confidential); revised, 1943, 169; amended, 1945, 240 § 1; revised, 1946, 67; amended, 1948, 202; revised, 1948, 525; amended, 1953, 342: sentence added at end, 1956, 356.

SECT. 18 amended, 1945, 393 § 6.

Chapter 67. — Parishes and Religious Societies.

SECT. 7 revised, 1945, 28.

SECT. 40 amended, 1952, 580.

SECT. 55 added, 1953, 592 (to provide for the incorporation of churches, congregations, parishes, committees and other religious organizations under the jurisdiction of the Orthodox Church).

Chapter 68. — Donations and Conveyances for Pious and Charitable Uses.

SECT. 10, first sentence amended, 1957, 94; sentence added at end, 1934, 238.

SECT. 15 amended, 1946, 23; repealed, 1954, 529 § 3.

SECT. 17 added, 1954, 559 (relative to the solicitation of funds for charitable purposes); fifth paragraph amended, 1955, 498; section revised, 1957, 352.

Chapter 69. — Powers and Duties of the Department of Education.

For an act to encourage the establishment of regional and consolidated public schools and to provide financial assistance to cities and towns in the construction of school buildings, see 1948, 645; 1949, 637, 741.

SECT. 4 revised, 1952, 585 § 8.

SECT. 6 amended, 1932, 127 § 3.

SECT. 7 amended, 1935, 275; 1937, 213, 327; 1938, 315; revised, 1938, 424; amended, 1941, 351 § 6, 561; revised, 1943, 403; second sentence amended, 1958, 613 § 2D; sentence inserted after second sentence, 1956, 186.

SECT. 7A added, 1946, 439 § 1 (extending to certain members of the armed forces, and to veterans of World War II, university extension courses free of charge); revised, 1954, 627 § 20; 1958, 409. (See 1946, 439 § 2; 1954, 627 §§ 65, 67.)

SECT. 7B added, 1946, 548 § 1 (relative to higher educational opportunities for children of certain deceased members or former members of the armed forces); first paragraph amended, 1948, 381; second paragraph amended, 1947, 399; 1948, 357; section revised, 1950, 758; 1951, 747; amended, 1952, 497; first paragraph revised, 1954, 627 § 21. (See 1954, 627 §§ 65, 67.)

SECT. 7C added, 1957, 692 (providing for the granting of certain scholarships to certain students at the State Teachers College at Fitchburg).

SECT. 8 amended, 1932, 127 § 4.

SECT. 9 amended, 1938, 442 § 1.

SECT. 9A added, 1938, 442 § 2 (further regulating education in the use of English and certain other subjects adapted to fit persons for American citizenship).

SECT. 10A added, 1951, 693 (providing for the advancement of education for American citizenship).

SECT. 11 revised, 1939, 409 § 4. (See 1939, 409 §§ 1, 5.)

SECT. 13 stricken out and sections 13-13D inserted, 1951, 673 § 1. (See 1951, 673 § 8.)

SECT. 14 revised, 1951, 673 § 2. See 1957, 669.

SECT. 15, sentence added at end, 1951, 673 § 3.

SECT. 16 repealed, 1952, 345.

SECTS. 17 and 18 stricken out and section 17 inserted, 1951, 673 § 4.

SECT. 19 amended, 1943, 89 § 1; revised, 1951, 673 § 5.

SECT. 19A added, 1943, 89 § 2 (requiring reports to the director of the division of the blind of results of examinations of blind persons).

SECT. 19B added, 1945, 554 (providing for examinations by ophthalmologists of certain applicants for aid to the blind).

SECTS. 20-22 repealed, 1951, 673 § 6.

SECT. 23 revised, 1943, 526; first paragraph amended, 1947, 458; 1951, 555; revised, 1956, 585 § 1; paragraph inserted after first paragraph, 1951, 551; paragraph added at end, 1945, 541 § 1. (See 1956, 585 § 2.)

SECT. 23A added, 1938, 28 (requiring the furnishing of information to the director of the division of the blind by certain banks and other depositories).

SECT. 23B added, 1945, 541 § 2 (relative to granting aid or assistance to certain blind persons).

SECT. 24A added, 1953, 457 § 1 (providing that permits to operate vending stands in public buildings be granted to the division of the blind); revised, 1956, 477. (See 1953, 457 § 2.)

SECT. 25 revised, 1935, 397.

SECTS. 25A-25E added, 1938, 329 (regulating the raising of funds for the benefit of the blind).

SECT. 26, first sentence amended, 1945, 524; 1951, 673 § 6A; paragraph added at end, 1935, 286; section revised, 1952, 498 § 1; 1957, 582; 1958, 508.

SECT. 26A added, 1941, 630 § 2 (relative to information concerning recipients of aid to the blind).

SECT. 28 revised, 1952, 498 § 2; 1957, 615 § 1.

SECT. 28A added, 1957, 615 § 2 (providing reimbursement to cities, towns and regional school districts for extra compensation paid to teachers of special day classes for deaf pupils).

SECT. 29 added, 1938, 313 (relative to instruction in lip reading for certain school children whose hearing is defective).

SECTS. 29A and 29B added, under caption, 1954, 514 § 3 (relative to the powers and duties of the division of special education for mentally retarded children).

SECT. 29A revised, 1955, 626 § 1; amended, 1956, 570 § 1.

SECT. 29B revised, 1955, 626 § 1; amended, 1956, 535 § 1; 1957, 615 § 3.

SECT. 29C added, 1956, 570 § 2 (relative to the allocation of the expense of purchasing, leasing and maintaining special audio-equipment for the instruction of physically handicapped children).

SECT. 29D added, 1956, 635 (relative to recreational programs for physically handicapped children); revised, 1958, 556.

SECTS. 30 and 31 added, under caption, 1943, 549 § 3 (relative to approval by the Board of Collegiate Authority of the organization of certain educational institutions and of certain amendments to their charters).

SECT. 30, sentence inserted after fifth sentence, 1953, 290.

SECTS. 32 and 33 added, 1951, 673 § 7 (relative to instruction of visually handicapped and blind children).

SECT. 33, sentence added at end, 1952, 397.

Chapter 70. — School Funds and State Aid for Public Schools (former title, School Funds and Other State Aid for Public Schools).

Chapter stricken out and new chapter 70 (with new title) inserted, 1948, 643 § 1. (See 1948, 643 § 3, 645.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to chapter 70 as so inserted:

SECT. 3, first sentence revised, 1956, 599 § 2. (See 1956, 599 §§ 4, 5.)

SECT. 3A added, 1950, 703 (providing state reimbursement for cities and towns for payment to certain teachers); repealed, 1955, 626 § 2A.

SECT. 3B added, 1950, 774 (providing state reimbursement for towns forming regional school districts); sentence added at end, 1953, 547 § 2.

SECT. 3C added, 1954, 514 § 4 (providing for reimbursement of cities and towns on account of special education for mentally retarded children); repealed, 1955, 626 § 2A.

SECT. 4, sentence added at end, 1953, 547 § 1.

SECT. 4A added, 1956, 453 (relative to state reimbursement to certain towns in regional school districts).

SECT. 6 revised, 1951, 592 § 1. (See 1951, 592 § 2.)

SECT. 9, second sentence revised, 1956, 599 § 3. (See 1956, 599 § 5.)

SECT. 10, sentence added at end, 1950, 620.

Chapter 71. — Public Schools.

SECT. 1 amended, 1953, 137.

SECT. 2 amended, 1938, 246 § 1; revised, 1949, 468; 1952, 282.

SECT. 4 amended, 1953, 260; second sentence revised, 1955, 109.

SECT. 5 repealed, 1948, 643 § 2. (See 1948, 643 § 3.)

SECT. 6, second and third sentences of first paragraph stricken out, 1947, 679 § 4.

SECT. 7 amended, 1941, 590; repealed, 1947, 679 § 5.

SECT. 7A added, 1947, 679 § 1 (providing for reimbursement to cities and towns for certain expenses incurred for the transportation of pupils); first paragraph revised, 1949, 754.

SECTS. 8 and 9 repealed, 1948, 643 § 2. (See 1948, 643 § 3.)

SECT. 13A added, 1938, 241 (requiring the teaching of the Italian language in certain public high schools in certain cases).

SECT. 13B added, 1939, 311 (relative to the teaching of modern languages in certain public high schools).

SECT. 13C added, 1945, 402 (requiring the teaching of the Polish language in certain public high schools in certain cases).

SECT. 13D added, 1948, 205 (providing for motor vehicle driving education in high schools); paragraph added at end, 1954, 49.

SECT. 13E added, 1949, 99 (requiring the teaching of the Lithuanian language in public schools in certain cases).

SECT. 13F added, 1957, 709 (providing that cities and towns may contribute to the financing of educational television programs from funds appropriated for school purposes).

SECTS. 14–16 stricken out and sections 14–16I inserted, under caption, 1949, 638 § 1 (relative to the formation of regional school districts). (See 1949, 638 § 2.)

SECT. 14 revised, 1951, 331 § 1.

SECT. 14A amended, 1951, 331 § 2.

SECT. 14B amended, 1951, 331 § 3; clause (b) revised, 1955, 142 § 1; clause (c) revised, 1952, 471 § 1. (See 1952, 471 § 2; 1955, 142 § 2.)

SECT. 14C added, 1954, 214 (authorizing certain towns to sell, lease or license school buildings to a regional school district); last sentence stricken out and two sentences inserted, 1955, 58; section amended, 1955, 127 § 1. (See 1955, 127 § 2.)

SECT. 15, first paragraph revised, 1951, 331 § 4; 1955, 141 § 1; amended, 1957, 53. (See 1955, 141 § 2.)

SECT. 16, clause (c) revised, 1955, 65; clause (d) revised, 1955, 65; 1956, 243.

SECT. 16A revised, 1958, 129.

SECT. 16B, paragraph added at end, 1958, 619.

SECT. 16C revised, 1952, 470.

SECT. 16F. See 1952, 601.

SECT. 19 amended, 1939, 461 § 1.

SECT. 20 revised, 1951, 680.

SECT. 21 amended, 1945, 133 § 1.

SECTS. 26A–26F added, 1946, 165 § 1 (providing for extended school services for certain children of certain employed mothers). (See 1946, 165 §§ 2, 3.)

SECT. 30A added, 1935, 370 § 1 (requiring that an oath or affirmation be taken and subscribed to by certain professors, instructors and teachers

in the colleges, universities and schools of the commonwealth); sentence added at end, 1948, 160 § 2. (See 1935, 370 §§ 2, 2A, 3.)

SECT. 34 revised, 1939, 294.

SECTS. 34A and 34B added, 1943, 547 (requiring persons operating or maintaining educational institutions to furnish, upon request, certain transcripts of records).

SECT. 34C added, 1951, 67 (relative to granting high school diplomas to certain students who enter the armed forces); revised, 1954, 91.

SECT. 37A added, 1958, 119 (authorizing school committees to accept and disburse grants and gifts for educational purposes from charitable foundations and private corporations).

SECTS. 38A-38F added, 1941, 676 § 2 (relative to occupational guidance and placement). (See 1941, 646.)

SECT. 38G added, 1951, 278 § 1 (to establish standards of certification of teachers in the public schools); first two paragraphs stricken out and one paragraph inserted, 1952, 530; revised, 1953, 264; amended, 1956, 122. (See 1951, 278 § 2.)

SECT. 40 amended, 1941, 507; 1943, 494; revised, 1945, 727 § 1; two sentences added at end, 1946, 527 § 1; section revised, 1949, 684; first sentence revised, 1951, 499; 1952, 69; 1956, 434; 1957, 447; 1958, 545; 1959, 602 § 1. (See 1945, 727 § 2; 1946, 527 §§ 2, 3; 1959, 602 § 2.)

SECT. 41 revised, 1947, 597 § 1; sentence added at end, 1950, 283; section revised, 1953, 372; amended, 1956, 132 § 1.

SECT. 42 revised, 1934, 123; first sentence revised, 1947, 597 § 2; amended, 1956, 132 § 2; sentence inserted after second sentence, 1953, 244; sentence inserted in line 27, 1946, 195.

SECT. 42A added, 1945, 330 (giving certain rights to school principals and supervisors in cases of demotion); revised, 1953, 269.

SECT. 42B added, 1952, 545 (providing for tenure of teachers and superintendents in regional school districts); sentence added at end, 1956, 136 § 1. (See 1956, 136 § 2.)

SECT. 42C added, 1957, 195 (requiring school officials to permit teachers to inspect records kept concerning them or their work).

SECT. 43A added, 1958, 462 (providing that certain teachers or superintendents dismissed by action of a school committee may appeal therefrom to the superior court).

SECT. 46 amended, 1941, 194 § 4; revised, 1954, 514 § 5; 1955, 626 § 3; 1956, 535 § 4; paragraph added at end, 1957, 584.

SECT. 46A amended, 1932, 159; revised, 1945, 534; 1946, 357; paragraph inserted after second paragraph, 1953, 352; stricken out, 1954, 296 § 2; last sentence stricken out and three sentences inserted, 1947, 384; section revised, 1955, 772 § 1; first paragraph amended, 1956, 570 § 3.

SECT. 46B added, 1954, 296 § 1 (providing for reimbursement of cities and towns for transportation of certain handicapped children to special schools); revised, 1955, 772 § 2.

SECTS. 46C and 46D added, 1954, 514 § 6 (relative to joinder of cities and towns for the purpose of conducting special classes for mentally retarded children).

SECT. 46C revised, 1955, 626 § 4; amended, 1956, 535 § 5.

SECTS. 46E and 46F added, 1955, 626 § 2 (providing for reimbursement by the commonwealth of certain costs of conducting special classes approved by the division of special education by certain school districts).

SECT. 46E amended, 1956, 535 § 2.

SECT. 46F amended, 1956, 535 § 3, 570 § 4.

SECT. 46G added, 1955, 696 (to strengthen the activities of cities and towns in the prevention of juvenile delinquency).

SECT. 47 revised, 1935, 199; 1950, 658; 1951, 411 § 1; amended, 1952, 316 § 1; revised, 1954, 271; fourth sentence revised, 1959, 113.

SECT. 47A added, 1954, 220 (authorizing school committees to contract for hire of athletic coaches for periods not exceeding three years).

SECT. 48A amended, 1935, 47; revised, 1958, 164.

SECT. 52 amended, 1932, 90.

SECT. 53A, sentence added at end, 1950, 208 § 1. (See 1950, 208 § 2.)

SECT. 54 amended, 1938, 265 § 1; 1945, 133 § 2.

SECT. 55 revised, 1938, 265 § 2; amended, 1952, 89.

SECT. 55A added, 1938, 265 § 3 (relative to the disposition of children showing signs of ill health or of being infected with a dangerous disease).

SECT. 55B added, 1950, 732 § 1 (prohibiting the employment in schools of certain persons suffering from tuberculosis and requiring periodic examinations of school employees); eighth sentence stricken out and two sentences inserted, 1952, 469; eighth sentence revised, 1954, 658; section revised, 1958, 15.

SECT. 56 revised, 1938, 265 § 4.

SECT. 57 revised, 1943, 384; 1951, 502 § 1; second sentence revised, 1955, 684; 1956, 428. (See 1951, 502 § 2.)

SECT. 58 amended, 1932, 127 § 8; revised, 1935, 287; repealed, 1945, 543 § 1.

SECT. 59A added, 1952, 506 (providing for the employment of a superintendent of schools in certain small towns); revised, 1953, 557.

SECT. 61 amended, 1951, 643 § 1; revised, 1952, 108; 1953, 334. (See 1951, 643 §§ 1A-3.)

SECT. 63, paragraph added at end, 1945, 223 § 1. (See 1945, 223 § 2.)

SECT. 64 revised, 1949, 794; 1955, 565; first sentence revised, 1956, 237; section revised, 1956, 448 § 1.

SECT. 65 revised, 1949, 794; 1955, 565; 1956, 448 § 2.

SECT. 66, paragraph added at end, 1937, 281; section repealed, 1958, 241.

SECT. 68 revised, 1934, 97 § 1. (See 1934, 97 § 2.)

SECT. 69 revised, 1935, 258.

SECT. 71 amended, 1935, 193.

SECT. 72. See 1948, 548; 1949, 303.

SECTS. 75-79 added, 1948, 620 § 5 (providing for extended courses of instruction on junior college level in high schools). (See 1948, 620 § 6.)

SECT. 78 revised, 1957, 756.

SECT. 79 revised, 1958, 168.

SECT. 80 added, 1958, 127 § 1 (establishing a lunch period for public school teachers); amended, 1958, 368. (See 1958, 127 § 2.)

SECT. 81 added, 1958, 605 § 2 (providing that no junior college shall be established by a city or town).

Chapter 72. — School Registers and Returns.

SECT. 3, paragraph in lines 6-10 revised, 1939, 461 § 2.

SECT. 8, first two sentences stricken out and one sentence inserted, 1957, 290; section amended, 1954, 231 § 1; second paragraph added, 1959, 321.

Chapter 73. — State Teachers Colleges and Community Colleges (former title, State Teachers Colleges).

Title changed, 1932, 127 § 9; 1948, 620 § 1.

SECT. 1 amended, 1932, 127 § 10; revised, 1948, 620 § 2; 1952, 585 § 9; amended, 1952, 618 § 1; revised, 1959, 246 § 2. (See 1948, 620 § 6; 1952, 618 §§ 4-12.)

SECT. 1A added, 1952, 499 § 1 (relative to the increase of fees and charges for services rendered by the department of education); amended, 1959, 246 § 3.

SECT. 2 amended, 1932, 127 § 11.

SECT. 2A added, 1938, 246 § 2 (making the constitutions of the United States and of this commonwealth required subjects of instruction in state teachers colleges).

SECT. 3 amended, 1932, 127 § 12; first sentence revised, 1952, 618 § 2. (See 1952, 618 §§ 4-12.)

SECT. 4 amended, 1932, 127 § 13.

SECT. 4A amended, 1932, 127 § 14; sentence added at end, 1952, 618 § 3. (See 1952, 618 §§ 4-12.)

SECT. 4B added, 1954, 350 (regulating the dismissal of certain teachers in state teachers colleges); revised, 1956, 480.

SECT. 5 amended, 1932, 127 § 15. (Temporarily affected, 1933, 233; 1934, 130; 1935, 277.)

SECT. 6 amended, 1932, 127 § 16.

SECT. 7 amended, 1932, 127 § 17; revised, 1935, 21; 1948, 620 § 3; sentence added at end, 1950, 60; section revised, 1957, 309; 1958, 605 § 3; amended, 1959, 246 § 4, 592. (See 1948, 620 § 6; 1959, 477.)

SECTS. 8 and 9 added, 1948, 620 § 4 (relative to the establishment of community colleges by the department of education and providing courses therein). (See 1948, 620 § 6.)

SECT. 8 amended, 1959, 246 § 5.

SECT. 9 repealed, 1958, 605 § 4.

Chapter 74. — Vocational Education.

SECT. 1 revised, 1938, 446 § 1; amended, 1941, 617 § 1; "State board" defined, 1952, 630 § 2. (See 1938, 446 § 14.)

SECT. 2 amended, 1938, 446 § 2; revised, 1952, 630 § 3; 1957, 599 § 1. (See 1938, 446 § 14.)

SECT. 3 amended, 1938, 446 § 3; revised, 1957, 599 § 2. (See 1938, 446 § 14.)

SECT. 4 amended, 1938, 446 § 4; revised, 1957, 599 § 3. (See 1938, 446 § 14.)

SECT. 5 amended, 1952, 630 § 4.

SECT. 5A added, 1952, 471 § 3 (relative to the establishment of independent distributive occupations, industrial, agricultural and household arts schools by regional school districts). (See 1952, 471 § 2.)

SECT. 6 amended, 1938, 446 § 5; 1952, 630 § 5; revised, 1957, 599 § 4. (See 1938, 446 § 14.)

SECT. 7 amended, 1938, 446 § 6; 1952, 630 § 6; revised, 1957, 599 § 5. (See 1938, 446 § 14.)

SECT. 7A amended, 1952, 630 § 7.

SECT. 8 amended, 1952, 630 § 8.

SECT. 8A revised, 1937, 323; paragraph added at end, 1939, 308; section revised, 1950, 622.

SECT. 9 amended, 1938, 446 § 7; 1952, 471 § 4; revised, 1957, 496 § 1, 599 § 6. (See 1938, 446 § 14.)

SECT. 11 amended, 1933, 102 § 2; 1941, 617 § 2. (See 1933, 102 § 4.)

SECT. 12 amended, 1952, 471 § 5; revised, 1957, 496 § 2.

SECT. 13 amended, 1938, 446 § 8; revised, 1957, 599 § 7. (See 1938, 446 § 14.)

SECT. 14 revised, 1943, 540; paragraph added at end, 1952, 471 § 6.

SECT. 14A added, 1943, 540 (relative to federal funds for vocational education); amended, 1952, 630 § 9.

SECT. 18 amended, 1952, 630 § 10.

SECT. 19 revised, 1938, 446 § 9. (See 1938, 446 § 14); repealed, 1947, 652 § 13.

SECT. 20 revised, 1947, 652 § 9; sentence added at end, 1955, 700 § 2; stricken out, 1956, 602 § 7. (See 1956, 602 §§ 17-20.)

SECT. 21 amended, 1938, 446 § 10; 1946, 552 § 2; revised, 1947, 652 § 10; amended, 1956, 602 § 8. (See 1938, 446 § 14; 1946, 552 §§ 4, 5; 1956, 602 §§ 17-20.)

SECT. 22 amended, 1938, 446 § 11; revised, 1947, 652 § 11; amended, 1956, 602 § 9. (See 1938, 446 § 14; 1956, 602 §§ 17-20.)

SECT. 22A amended, 1938, 446 § 12; revised, 1947, 652 § 12; two sentences added at end, 1955, 700 § 1; section repealed, 1956, 602 § 10. (See 1938, 446 § 14; 1956, 602 §§ 17-20.)

SECT. 22B, first paragraph amended, 1948, 360; section repealed, 1956, 602 § 10. (See 1956, 602 §§ 17-20.)

SECT. 22C added, 1945, 561 (authorizing the division of the blind to use federal funds available in a program of rehabilitation of the blind).

SECT. 22D added, 1946, 552 § 3 (providing for co-operation by the commonwealth with the veterans' administration in the administration of federal laws and regulations relating to the rehabilitation of disabled veterans of World War II). (See 1946, 552 §§ 4, 5.)

SECT. 22E added, 1950, 206 (relative to tenure of teachers elected for vocational education).

SECT. 23 repealed, 1933, 102 § 3.

SECT. 24A added, 1947, 497 (relative to the appointment of veterans as teachers in state aided approved vocational schools); revised, 1958, 154.

SECT. 28 revised, 1939, 501 § 6; amended, 1945, 158 § 6.

SECT. 30 amended, 1937, 41.

SECT. 31A added, 1934, 65 (authorizing the trustees of the Essex county agricultural school to pay transportation costs of certain pupils attending said school); amended, 1943, 42; revised, 1954, 63.

SECT. 35, second sentence revised, 1956, 455.

SECT. 42, caption preceding section changed, 1946, 257 § 9; section revised, 1946, 257 § 1; 1947, 387; amended, 1953, 488 § 1; caption preceding section changed and section revised, 1957, 347 § 1. (See 1953, 488 § 4.)

SECT. 42A added, 1953, 523 (authorizing the Bradford Durfee Technical Institute of Fall River and the New Bedford Institute of Textiles and Technology to grant the honorary degree of master of science); revised, 1957, 347 § 2.

SECT. 42B added, 1957, 410 (authorizing the board of trustees of the

New Bedford Institute of Technology to grant certain honorary doctorates); revised, 1958, 243.

SECT. 42C added, 1958, 538 § 2 (providing tenure for certain teachers in the employ of the commonwealth after three years' service).

SECT. 43 amended, 1946, 257 § 2; 1957, 347 § 2A.

SECT. 44 amended, 1946, 257 § 3; 1957, 347 § 2B.

SECT. 45 amended, 1946, 257 § 4; 1957, 347 § 2C.

SECT. 46 amended, 1946, 257 § 5; 1957, 347 § 2D.

SECT. 46A amended, 1946, 257 § 6; 1957, 347 § 2E.

SECT. 46B added, 1957, 409 (authorizing the board of trustees of the New Bedford Institute of Technology to establish and manage the research foundation of said Institute).

SECT. 47E, paragraph added at end, 1935, 22; section revised, 1946, 378; second paragraph amended, 1949, 28; section revised, 1951, 202.

SECT. 47G revised, 1950, 772.

SECTS. 47-48 and caption preceding section 47 stricken out, 1953, 407 § 2. (See 1953, 407 §§ 1, 8.)

SECT. 49, caption preceding section changed, 1942, 1 § 3; section amended, 1942, 1 § 5; revised, 1946, 340; 1952, 499 § 2. (See 1942, 1 § 9.)

SECT. 49A added, 1946, 340 (authorizing the board of commissioners of the Massachusetts Maritime Academy to grant degrees).

SECT. 53 revised, 1942, 1 § 6. (See 1942, 1 § 9.)

SECT. 54 added, under caption, 1949, 630 (providing for institutional on-farm training for veterans of World War II); revised, 1955, 680.

SECT. 55 added, under caption, 1953, 581 (establishing a state agency for surplus property).

Chapter 75. — University of Massachusetts (former title, Massachusetts State College).

Name changed, 1947, 344 § 1.

SECT. 1 revised, 1947, 344 § 6.

SECT. 2 amended, 1947, 344 § 7.

SECT. 4 amended, 1947, 344 § 8.

SECT. 5 revised, 1935, 288; amended, 1947, 344 § 9.

SECT. 5A added, 1939, 329 (authorizing the trustees of Massachusetts State College to retain and manage in a revolving fund receipts from student activities); amended, 1947, 344 § 10; revised, 1954, 400 § 3.

SECT. 6 amended, 1935, 462 § 2; 1947, 344 § 11. (See 1935, 462 § 1.)

SECT. 7 amended, 1947, 344 § 12.

SECT. 8 amended, 1945, 504; 1947, 344 § 13.

SECT. 9, caption preceding section revised, 1947, 344 § 14; section amended, 1947, 344 § 15.

SECT. 10 amended, 1947, 344 § 16.

SECT. 11 amended, 1947, 344 § 17.

SECT. 13 revised, 1953, 538; 1956, 556.

SECT. 14 amended, 1947, 344 § 18.

SECT. 15 amended, 1947, 344 § 19.

SECT. 16 amended, 1947, 344 § 20.

SECT. 16A added, 1945, 586 (providing for the establishment at the Massachusetts Agricultural Experiment Station of a diagnostic labora-

tory dealing with the causes, etc., of diseases of domestic animals); amended, 1947, 344 § 21; revised, 1947, 471.

SECT. 22 amended, 1947, 344 § 22.

SECT. 24 amended, 1947, 344 § 23.

SECT. 25 amended, 1947, 344 § 24.

SECT. 26 amended, 1947, 344 § 25.

SECT. 31 added, 1951, 524 (providing for scholarships at the University of Massachusetts).

Chapter 75A. — Lowell Technological Institute of Massachusetts.

New chapter inserted, 1953, 407 § 3. (See 1953, 407 §§ 1, 7, 8.)

SECT. 12 amended, 1958, 538 § 3; sentence added at end, 1955, 730 § 41A. (See 1955, 730 § 43.)

Chapter 76. — School Attendance.

SECT. 1 revised, 1939, 461 § 3; amended, 1941, 423; 1950, 400.

SECT. 2, two sentences added at end, 1947, 241 § 1. (See 1947, 241 § 2.)

SECTS. 7-10. (See 1939, 454 § 21.)

SECT. 7 amended, 1951, 579.

SECT. 15 revised, 1938, 265 § 5.

Chapter 77. — School Offenders and County Training Schools.

SECT. 1 revised, 1933, 295 § 1; amended, 1943, 82.

SECT. 3 revised, 1948, 573 § 1; amended, 1957, 565 § 1.

SECT. 4 revised, 1948, 573 § 2; amended, 1957, 565 § 2. (See 1948, 573 § 7.)

SECT. 5 revised, 1948, 573 § 3; amended, 1957, 565 § 3. (See 1948, 573 § 7.)

SECT. 10 revised, 1949, 593 § 5.

SECT. 11 amended, 1948, 573 § 4. (See 1948, 573 § 7.)

SECT. 12 revised, 1948, 573 § 5. (See 1948, 573 §§ 6, 7.)

SECT. 13 amended, 1954, 231 § 2.

SECT. 14 amended, 1949, 594.

Chapter 78. — Libraries.

SECT. 4 revised, 1935, 202.

SECT. 9 amended, 1952, 585 § 10.

SECT. 11 revised, 1952, 585 § 16.

SECT. 14, caption preceding section revised, 1952, 585 § 11; section amended, 1952, 585 § 12.

SECT. 15 amended, 1952, 585 § 13.

SECT. 19 revised, 1952, 585 § 17.

SECTS. 22-31 added, under caption, 1948, 320 (providing for the certification of librarians).

SECT. 22 amended, 1952, 585 § 14.

SECT. 24 amended, 1952, 585 § 15.

SECT. 26 revised, 1952, 585 § 18.

Chapter 79. — Eminent Domain

SECT. 3, first paragraph amended, 1938, 172 § 6; 1959, 626 § 1; two sentences added at end of first paragraph, 1943, 251 § 1. (See 1943, 251 § 4.)

SECT. 5A added, 1948, 180 (restricting the taking by eminent domain of ancient landmarks and property of historical or antiquarian interest).

SECT. 5B added, 1950, 532 (restricting the taking by eminent domain of property used for agricultural purposes).

SECT. 8 amended, 1936, 187 § 1; second sentence revised, 1959, 626 § 2; sentence inserted after second sentence, 1943, 251 § 2. (See 1943, 251 § 4; 1959, 626 § 6.)

SECT. 8A added, 1959, 626 § 3 (relative to land takings and providing that offers in settlement or pro tanto for such takings shall be made within certain periods of time). (See 1959, 626 § 6.)

SECT. 9, last sentence amended, 1938, 172 § 7.

SECT. 12, first sentence amended, 1959, 626 § 4; sentence added at end, 1953, 634 § 1. (See 1953, 634 § 2.)

SECT. 15 repealed, 1936, 385 § 1. (See 1936, 385 § 2.)

SECT. 16 amended, 1936, 187 § 2; 1938, 185; revised, 1943, 95; paragraph added at end, 1943, 251 § 3; sentence added at end, 1950, 230. (See 1943, 251 § 4.)

SECT. 34 amended, 1952, 633.

SECT. 37 amended, 1956, 641.

SECT. 39, sentence added at end, 1955, 242; section revised, 1959, 626 § 5. (See 1959, 626 § 6.)

SECT. 44A added, 1935, 189 (relative to certain tax liens upon real estate taken by right of eminent domain); amended, 1936, 137.

Chapter 80. — Betterments.

SECT. 1 amended, 1933, 254 § 62. (See 1933, 254 § 66.)

SECT. 4 revised, 1933, 63 § 1.

SECT. 5 amended, 1933, 157 § 2. (See 1933, 157 § 3.)

SECT. 10 revised, 1933, 147.

SECT. 10A added, 1933, 157 § 1 (providing that failure of a board of officers to take action upon a petition for abatement of a betterment assessment shall, for the purposes of appeal, be equivalent to refusal to abate the assessment). (See 1933, 157 § 3.)

SECT. 12 revised, 1943, 252 § 1, 478 § 4; seventh sentence amended, 1955, 194; sentence added at end, 1947, 116; 1953, 344.

SECT. 13 amended, 1933, 63 § 2, 254 § 63; revised, 1934, 315 § 1; last sentence stricken out and new paragraph added, 1938, 489 § 1; first sentence of section amended, 1941, 595; section amended, 1954, 286; third sentence revised, 1956, 311 § 1; second paragraph revised, 1956, 311 § 2. (See 1933, 254 § 66; 1934, 315 § 3; 1941, 724.)

SECT. 13A added, 1943, 252 § 2 (relative to the time within which certain betterment and other assessments on unimproved land shall be paid).

Chapter 81. — State Highways.

For legislation providing for an accelerated highway program, see 1949, 306.

SECT. 3, last sentence stricken out and two sentences inserted, 1952, 401.

SECT. 5 revised, 1937, 218 § 1.

SECT. 7A added, 1937, 344 (granting certain powers to the department of public works with respect to certain ways connecting with state highways); revised, 1948, 448; sentence inserted before last sentence, 1951, 453.

SECT. 7B added, 1941, 519 (giving the department of public works the power to take a slope easement, so called, in certain cases).

SECT. 7C added, 1943, 397 (relative to limited access ways); sentence added at end, 1949, 583; 1950, 829; revised, 1957, 700 § 1. (See 1957, 700 § 2.)

SECT. 7D added, 1948, 449 (authorizing the department of public works to grant certain easements within state highway locations).

SECT. 7E added, 1949, 764 (authorizing the department of public works to sell certain land or rights therein which it has acquired for certain purposes); revised, 1957, 530, 761.

SECT. 7F added, 1958, 582 (authorizing agents and employees of the department of public works to enter upon private property for the purpose of making surveys, soundings and drillings).

SECT. 8 revised, 1936, 371; amended, 1937, 218 § 2; last sentence revised, 1951, 532.

SECT. 13 revised, 1952, 563 § 1; third sentence amended, 1953, 354 § 1; stricken out and two sentences inserted, 1955, 379 § 1. (See 1952, 563 § 2; 1953, 354 § 2; 1955, 379 § 2.)

SECT. 13A added, 1936, 342 (authorizing the department of public works to accept in behalf of the commonwealth gifts of certain easements for the purpose of landscaping along state highways, and to do such landscaping).

SECT. 19, last four sentences stricken out, 1933, 187 § 1. (See 1933, 187 § 2.)

SECT. 20A added, 1945, 539 (providing for the illumination of hazardous locations on state highways).

SECT. 21 amended, 1948, 298; first sentence revised, 1954, 219; two sentences added at end, 1950, 507.

SECT. 25, first sentence amended, 1947, 454.

SECT. 26 amended, 1934, 366; first paragraph amended, 1949, 706 § 1; revised, 1951, 655 § 1; paragraph added at end, 1946, 523; amended, 1949, 706 § 2; revised, 1954, 524. (See 1951, 655 § 3.)

SECT. 27 amended, 1939, 224.

SECT. 29A added, 1943, 416 (authorizing the department of public works to lay out and alter ways other than state highways and facilitating the securing of federal aid in connection therewith).

SECT. 30, first sentence revised, 1951, 520.

SECT. 31 repealed, 1951, 655 § 2.

Chapter 82. — The Laying Out, Alteration, Relocation and Discontinuance of Public Ways, and Specific Repairs Thereon.

SECT. 7 amended, 1933, 283 § 2.

SECT. 24, first sentence revised, 1958, 240.

SECT. 32B added, 1933, 283 § 3 (authorizing the taking of easements of slope, so called, by county, city or town officers in connection with the laying out, widening, altering or relocating of public ways).

SECT. 34 amended, 1935, 309; 1941, 533.

SECT. 40 added, 1959, 316 (requiring a contractor making an excavation in a public way to give notice thereof to public utility companies).

Chapter 83. — Sewers, Drains and Sidewalks.

SECT. 15A added, 1948, 52 § 1 (authorizing municipalities to redetermine from time to time the fixed uniform rates charged to abutters for the construction of sewers). (See 1948, 52 § 2.)

SECT. 19 revised, 1943, 252 § 4. (See 1943, 252 § 6.)

SECT. 27, last sentence revised, 1943, 252 § 5.

SECT. 29 added, 1943, 252 § 3 (relative to the continuance of liens created under special acts in connection with certain betterment and other assessments).

Chapter 84. — Repair of Ways and Bridges.

SECT. 2, paragraph added at end, 1956, 270.

SECT. 5A added, 1945, 319 (authorizing towns to enter into agreements for the removal of snow and ice from public ways in adjoining towns, etc.).

SECT. 18 revised, 1933, 114 § 1.

SECT. 19 amended, 1933, 114 § 2.

SECT. 20 revised, 1933, 114 § 3; amended, 1939, 147.

SECT. 21 amended, 1955, 505.

Chapter 85. — Regulations and By-Laws relative to Ways and Bridges.

SECT. 2, second and third sentences amended, 1947, 442 § 2; section revised, 1951, 646 § 1.

SECT. 2A added, 1941, 346 § 2 (authorizing the department of public works to remove vehicles from state highways when said vehicles interfere with the removal of snow and ice); revised, 1957, 338.

SECT. 2B added, 1959, 541 (authorizing the department of public works to make regulations to exclude, govern and restrict the use of limited access and express state highways).

SECT. 9 revised, 1958, 158.

SECT. 11A added, 1941, 710 § 1 (relative to the registration and operation of certain bicycles).

SECTS. 12-14 repealed, 1941, 710 § 2.

SECT. 14B added, 1938, 432 (requiring the use of certain signal lights at locations on unlighted ways where certain vehicles are disabled); first paragraph amended, 1946, 375; 1953, 234 § 1; second paragraph amended, 1953, 234 § 2.

SECT. 17B added, 1933, 43 (prohibiting riding upon the rear or on the side of street railway cars or motor buses without the consent of the persons in charge thereof); revised, 1943, 322 § 2.

SECT. 21A added, 1951, 618 (authorizing cities and towns to erect certain signs on state highways); revised, 1952, 61.

SECT. 25 amended, 1953, 319 § 10. (See 1953, 319 §§ 39, 40.)

SECT. 30 amended, 1935, 30; 1938, 171 § 1; first sentence amended, 1946, 397 § 2; 1951, 568.

SECT. 31 revised, 1938, 171 § 2.

SECT. 35, last sentence revised, 1955, 91.

SECT. 36 added, 1951, 303 (providing that vehicles driven on public ways shall be so constructed or loaded as to prevent the contents from dropping).

Chapter 87. — Shade Trees.

SECT. 5 amended, 1941, 490 § 18; 1949, 761 § 12.

Chapter 88. — Ferries, Canals and Public Landings.

SECT. 14 revised, 1956, 262.

SECT. 19 revised, 1945, 442.

Chapter 89. — Law of the Road.

SECT. 1 revised, 1951, 646 § 2.

SECT. 2 revised, 1933, 301.

SECT. 4 revised, 1949, 301 § 1; 1951, 646 § 3. (See 1949, 301 § 2.)

SECTS. 4A and 4B added, 1952, 461 § 1 (relative to driving vehicles on ways which are divided into lanes).

SECT. 4B, sentence added at end, 1954, 304.

SECT. 5 amended, 1936, 49; 1952, 461 § 2. (See 1938, 149.)

SECT. 7A revised, 1952, 172.

SECT. 7B added, 1934, 382 (relative to the application of traffic laws and regulations to fire apparatus and other emergency vehicles).

SECT. 9 revised, 1948, 416.

Chapter 90. — Motor Vehicles and Aircraft.

For legislation providing for an accelerated highway program, see 1949, 306.

For legislation exempting certain disabled veterans from payment of certain motor vehicle excise taxes and registration fees, see 1948, 368.

SECT. 1, "antique motor car" defined, 1948, 432 § 1; definition of "dealer" revised, 1948, 511 § 1; "farmer" defined, 1951, 736 § 1; "farming" defined, 1955, 483 § 2; revised, 1956, 539; "heavy duty platform trailer" defined, 1939, 354 § 1; amended, 1941, 30; revised, 1945, 595 § 1; "manufacturer" defined, 1948, 511 § 2; revised, 1956, 268; definition of "motor cycle" revised, 1950, 321 § 1; definition of "motor vehicles" amended, 1932, 182; 1938, 36; revised, 1948, 93; 1950, 321 § 2; definition of "non-resident" revised, 1952, 266 § 1; amended, 1952, 566 § 1; revised, 1953, 463 § 1; "owner" defined, 1952, 266 § 2; "owner-repairman" defined, 1948, 511 § 3; definition of "register number" revised, 1935, 43; "repairman" defined, 1948, 511 § 4; revised, 1951, 89; 1953, 378; "school bus" defined, 1932, 271 § 1; revised, 1946, 91; amended, 1947, 216 § 1; revised, 1950, 502 § 1; "semi-trailer" and "semi-trailer unit" defined, 1933, 332 § 1; "tractor" defined and definition of

“trailer” revised, 1933, 332 § 2; definition of “trailer” amended, 1939, 354 § 2; revised, 1951, 578 § 1; 1956, 267; “transporter” defined, 1948, 511 § 5; revised, 1950, 321 § 3. (See 1932, 271 § 7; 1933, 322 § 5; 1951, 578 § 2; 1951, 736 § 5; 1952, 566 § 2.)

SECT. 1A amended, 1933, 372 § 3; 1934, 264 § 2; last sentence revised, 1948, 572 § 1; section revised, 1950, 471; second sentence revised, 1955, 172; paragraph added at end, 1950, 502 § 5. (See 1948, 572 § 3.)

SECT. 2, first paragraph revised, 1950, 443; amended, 1954, 305; third paragraph revised, 1956, 179; fourth paragraph revised, 1932, 5; amended, 1955, 283 § 1; fifth paragraph amended, 1956, 59; seventh paragraph revised, 1939, 436 § 1; 1949, 470, 644 § 3; 1952, 82; amended, 1953, 225; 1955, 458 § 3; 1956, 130, 168; 1957, 417 § 4; revised, 1958, 274; amended, 1959, 205, 495; last paragraph revised, 1933, 54; amended, 1948, 94; paragraph added at end, 1952, 554. (See 1955, 283 § 3.)

SECT. 2A added, 1953, 579 (providing for the registration of motor vehicles or trailers owned by minors).

SECT. 3, first sentence revised, 1933, 188; section revised, 1939, 325; first sentence amended, 1953, 463 § 2; paragraph inserted after second paragraph, 1953, 463 § 3; paragraph added at end, 1941, 282.

SECT. 3A amended, 1952, 125; revised, 1953, 366 § 1; first sentence amended, 1955, 196 § 1.

SECT. 3B revised, 1953, 366 § 2; first sentence amended, 1955, 196 § 2.

SECT. 3C revised, 1937, 387.

SECT. 3D, first sentence revised, 1953, 366 § 3; 1956, 75.

SECT. 3G added, 1945, 590 § 1 (relative to recovery for damage caused by motor vehicles of non-residents); three sentences added at end, 1952, 77. (See 1945, 590 § 2.)

SECT. 5, last sentence amended, 1947, 311; section revised, 1947, 401 § 1; 1948, 511 § 6; 1949, 94; 1951, 736 § 2; 1952, 377 § 1; 1955, 483 § 1. (See 1947, 401 § 3; 1951, 736 § 5.)

SECT. 5A added, 1943, 409 § 2 (relative to the use of a general distinguishing mark or number on all motor vehicles under the control of the military forces); revised, 1948, 304.

SECT. 6, first sentence revised, 1939, 436 § 2.

SECT. 6A added, 1948, 432 § 3 (providing for special registration plates for antique motor cars).

SECT. 6B added, 1953, 2 § 2 (permitting the issuance of one number plate for each motor vehicle). (See 1953, 2 § 1, 3.)

SECT. 7 amended, 1932, 123 § 1; 1933, 51; second sentence amended, 1933, 109; two sentences inserted after second sentence, 1959, 618 § 1; sentence added after fourth sentence, 1939, 153; ninth sentence revised, 1949, 260; amended, 1951, 235; sentence inserted after ninth sentence, 1951, 370; eleventh sentence revised, 1952, 253; twelfth and thirteenth sentences stricken out and one sentence inserted, 1955, 124; sentence added at end of first paragraph, 1954, 570 § 1; paragraph added at end of section, 1941, 443. (See 1932, 123 § 2; 1954, 570 § 2; 1959, 618 § 2.)

SECT. 7A revised, 1932, 41, 271 § 2. (See 1932, 271 § 7.)

SECT. 7B added, 1932, 271 § 3 (prerequisites to operation of school bus). (See 1932, 271 § 7.)

SECTS. 7A and 7B stricken out, and new sections 7A–7C inserted, 1945, 241 § 1. (See 1945, 241 § 3.)

SECT. 7A, first sentence amended, 1950, 140; first sentence stricken out

and two sentences inserted, 1950, 525; first sentence amended, 1951, 416.

SECT. 7B, clause (1) revised, 1950, 502 § 2; clause (6) inserted, 1950, 459 § 1; clause (7) inserted, 1951, 196 § 1. (See 1950, 459 § 2.)

SECT. 7C revised, 1948, 307; first sentence amended, 1951, 419 § 1; sentence added at end, 1950, 502 § 3. (See 1951, 419 § 2.)

SECT. 7D added, 1947, 216 § 2 (making certain provisions of law relating to school buses applicable to certain motor vehicles used for the transportation of school children); revised, 1950, 502 § 4.

SECT. 7E added, 1949, 266 (relative to the display of red lights upon vehicles owned and operated by firemen and certain other persons); first sentence revised, 1954, 306; amended, 1956, 142.

SECT. 7F added, 1957, 136 (providing that the operator or attendant of an ambulance transporting sick or injured persons shall be trained in first aid).

SECT. 8 amended, 1934, 103; 1937, 284; next to last sentence revised, 1948, 399 § 1; sentence contained in lines 19-22 (as appearing in 1937, 284) stricken out, 1948, 619 § 1; first paragraph amended, 1955, 488 § 1; 1956, 388 § 1; 1957, 351; paragraph added at end, 1950, 655; section revised, 1958, 307. (See 1948, 399 § 3, 619 §§ 2, 3; 1955, 488 § 3.)

SECT. 9 amended, 1934, 361; 1941, 283; first sentence revised, 1952, 244; first sentence stricken out and three sentences inserted, 1956, 85; third sentence revised, 1959, 259.

SECT. 9A revised, 1932, 168 § 1; 1935, 393 § 1; 1949, 358; 1952, 100. (See 1932, 168 §§ 2, 3; 1935, 393 § 2.)

SECT. 9B added, 1957, 471 (exempting certain motor vehicles owned by military personnel from registration for a limited period of time).

SECT. 10 amended, 1935, 219; second sentence stricken out and two sentences inserted, 1948, 130; third sentence revised, 1955, 314; paragraph added at end, 1950, 139.

SECT. 10A added, 1952, 126 (requiring operators of trackless trolleys to be licensed to operate motor vehicles); paragraph added at end, 1952, 287 § 1; section repealed, 1953, 276. (See 1952, 287 § 2.)

SECT. 11, first sentence revised, 1952, 377 § 2; sentence added at end, 1954, 446; section revised, 1956, 388 § 2.

SECT. 13, two sentences inserted after second sentence, 1950, 763; sentence added at end, 1949, 707; same sentence revised, 1950, 305.

SECT. 14 amended, 1938, 166; third sentence revised, 1947, 418; section revised, 1948, 324; third sentence revised, 1950, 502 § 6; 1951, 196 § 2; last sentence stricken out and two sentences inserted, 1957, 166.

SECT. 14A added, 1949, 279 (providing for the protection of blind persons while crossing ways).

SECT. 14B added, 1951, 649 (providing that motor vehicle operators give uniform signals on all ways); paragraph added at end, 1952, 321.

SECT. 15 amended, 1932, 271 § 5; 1933, 26 § 1; revised, 1951, 557. (See 1932, 271 § 7.)

SECT. 17, sentence added at end, 1932, 271 § 4; section amended, 1947, 406; revised, 1948, 564 § 1. (See 1932, 271 § 7.)

SECT. 18 amended, 1945, 125; revised, 1948, 564 § 2; first paragraph amended, 1956, 500; paragraph added at end, 1955, 135.

SECT. 19, last sentence revised, 1933, 332 § 3; 1935, 223 § 1; section revised, 1935, 326 (but see 1935, 465); amended, 1936, 388 § 1; revised, 1941, 314; first sentence amended, 1946, 380; last two sentences amended,

1945, 595 § 4; same sentences stricken out and four sentences inserted, 1946, 341; paragraph added at end, 1948, 394; section revised, 1951, 573; first paragraph amended, 1959, 378. (See 1933, 332 § 5; 1935, 223 § 2; 1936, 388 § 2.) Affected, 1941, 589; 1951, 310.

SECT. 19A added, 1946, 397 § 1 (authorizing certain semi-trailer units and motor vehicles to travel upon public ways without certain permits); first paragraph revised, 1955, 736; paragraph added at end, 1951, 344, 617; third paragraph amended, 1956, 389 § 1; paragraph added at end, 1951, 782; last paragraph revised, 1952, 408; amended, 1956, 389 §§ 2, 61.

SECT. 19B added, 1951, 572 § 1 (relative to the dimensions of motor buses); amended, 1957, 258 § 1; revised, 1958, 190 § 1. (See 1951, 572 § 2; 1957, 258 § 2; 1958, 190 § 2.) Affected, 1951, 310.

SECT. 20, first sentence revised, 1951, 567; amended, 1956, 389 § 3.

SECT. 20A added, 1934, 368 § 1 (providing for the non-criminal disposition of charges for violation of motor vehicle parking rules, regulations, orders, ordinances and by-laws); revised, 1935, 176; first paragraph revised, 1938, 201; first sentence revised, 1952, 193 § 1; first sentence revised, 1952, 193 § 2; amended, 1949, 425 § 1; third paragraph revised, 1949, 425 § 2; amended, 1952, 98; fifth paragraph revised, 1949, 425 § 3; sentence added at end, 1951, 69; section revised, 1953, 249 § 1; first paragraph amended, 1955, 386 § 1, 751 § 1; 1956, 404; third paragraph amended, 1955, 386 § 2; paragraph added at end, 1954, 302. (See 1934, 368 § 2; 1949, 425 § 4; 1953, 249 §§ 2, 3; 1955, 751 § 2.)

SECT. 21 amended, 1936, 406; 1954, 669.

SECT. 22, two paragraphs added at end, 1933, 191; first sentence (as appearing in 1933, 191) amended, 1941, 312.

SECT. 22A added, 1932, 304 § 1 (requiring the suspension of licenses to operate motor vehicles issued to persons who do not satisfy judgments in motor vehicle accident cases involving property damage). (See 1932, 304 § 2.)

SECT. 23, first paragraph revised, 1954, 74; paragraph added at end, 1933, 69.

SECT. 24 amended, 1932, 26 § 1; first sentence amended, 1936, 182 § 1; sentence contained in lines 65-97 amended, 1935, 360; paragraph added at end, 1936, 182 § 2; section revised, 1936, 434 § 1; paragraph (1) (a) amended, 1938, 145; paragraph (1) (c) revised, 1939, 82; amended, 1955, 198 § 1; paragraph (1) (d) amended, 1955, 198 § 2; paragraph (2) (a) amended, 1937, 230 § 1; paragraph (2) (c) amended, 1937, 117; 1955, 198 § 3. (See 1937, 230 § 2.)

SECT. 26 revised, 1953, 570 § 2; 1956, 225.

SECT. 27 amended, 1949, 115 § 2; revised, 1953, 319 § 11; first sentence amended, 1953, 570 § 3. (See 1953, 319 §§ 39, 40.)

SECT. 28 revised, 1950, 536.

SECT. 29, last sentence amended, 1932, 26 § 2; section amended, 1935, 477 § 1; second sentence revised, 1936, 391; first four sentences revised, 1947, 508; 1949, 557; two sentences inserted after fourth sentence, 1959, 610; sixth sentence amended, 1952, 15; last two sentences revised, 1938, 146.

SECT. 29A added, 1953, 570 § 4 (relative to notice by police officers and certain others of violations of the motor vehicle laws).

SECT. 30, second sentence revised, 1956, 351.

SECT. 31 revised, 1948, 201 § 2. (See 1948, 201 § 4.)

SECT. 31A, last sentence revised, 1956, 387.

SECT. 32, first sentence revised, 1953, 196.

SECT. 32A, first paragraph revised, 1958, 278; paragraph added at end, 1949, 321; first sentence of said paragraph revised, 1954, 392; fifth sentence revised, 1951, 418; 1957, 307.

SECT. 32B repealed, 1934, 209 § 2. (See 1934, 209 § 3.)

SECTS. 32C-32F added, 1934, 209 § 1 (further regulating the business of leasing motor vehicles upon a mileage basis). (See 1934, 209 § 3.)

SECT. 32E, paragraph added at end, 1959, 282 § 1. (See 1959, 282 § 6.)

SECT. 32G added, 1953, 563 (relative to licensing of persons engaged in the business of giving instruction in the driving of motor vehicles); paragraph inserted after first paragraph, 1957, 628; fourth paragraph revised, 1956, 383 § 1; eleventh paragraph revised, 1956, 383 § 2.

SECT. 33, first four paragraphs stricken out, and five new paragraphs inserted, 1932, 249 § 1; third paragraph (as appearing in 1932, 249 § 1) revised, 1948, 572 § 2; fourth paragraph (as so appearing) amended, 1933, 183 § 1; revised, 1948, 584 § 2; fifth paragraph (as so appearing) revised, 1947, 666 § 3; paragraph in lines 21-41 amended, 1932, 180 § 12; same paragraph stricken out, and two paragraphs inserted, 1933, 332 § 4; two paragraphs so inserted stricken out, and new paragraph inserted, 1935, 409 § 1; the paragraph so inserted amended, 1936, 380 § 1; subdivisions (2) and (3) of the paragraph so inserted revised, 1937, 377; subdivision (2) of said paragraph revised, 1945, 595 § 2; subdivision (3) of said paragraph amended, 1938, 430; subdivision (4) of said paragraph amended, 1939, 354 § 3; subdivision (6) of said paragraph amended, 1939, 354 § 4; revised, 1945, 595 § 3; last sentence revised, 1947, 463; sixth paragraph (inserted by 1935, 409 § 1) revised, 1951, 630 § 1; paragraph inserted after subdivision (6), 1948, 432 § 2; paragraph in lines 69-75 (as appearing in the Ter. Ed.) revised, 1948, 511 § 7; paragraph inserted after "registrar" in line 75 (as appearing in the Ter. Ed.) 1947, 401 § 2; same paragraph revised, 1948, 511 § 7; paragraph in lines 85-87 (as appearing in the Ter. Ed.) revised, 1948, 399 § 2, 619 § 2; paragraph inserted, 1950, 306; last paragraph amended, 1936, 401; paragraph added at end, 1949, 644 § 4; section revised, 1951, 699 § 1; paragraph inserted after paragraph numbered (6), 1952, 173 § 1; fifteenth paragraph revised, 1951, 736 § 3; twenty-fourth paragraph revised, 1952, 459; section revised, 1952, 540; third paragraph revised, 1954, 241; first sentence of fifth paragraph revised, 1953, 304; sentence inserted, 1953, 607; subdivision (3) revised, 1956, 569; eleventh paragraph of subdivision (7) revised, 1959, 414; fourteenth paragraph of subdivision (7) revised, 1955, 488 § 2; section revised, 1959, 571 § 1. (See 1932, 249 § 2; 1933, 183 § 2, 332 § 5; 1935, 409 § 2; 1936, 380 § 2; 1947, 401 § 3, 666 § 4; 1948, 368, 399 § 3, 572 § 3, 619 § 3; 1951, 630 § 2, 699 § 5, 736 § 5; 1952, 173 § 2; 1955, 488 § 3; 1959, 571 § 2.)

SECT. 33A added, 1958, 6 § 2 (confirming the validity of the signature on certain certificates of registration and certain licenses to operate motor vehicles).

SECT. 34, four words stricken out, 1933, 197 § 3; first paragraph amended, 1934, 364 § 1; section revised, 1943, 427 § 2. (See 1934, 364 § 3.)

SECT. 34A, paragraph defining "certificate" revised, 1945, 384 § 1; amended, 1949, 571 § 1; new paragraph (defining "guest occupant")

added, 1935, 459 § 1; paragraph defining "motor vehicle liability bond" revised, 1935, 459 § 2; amended, 1959, 282 § 2; paragraph defining "motor vehicle liability policy" revised, 1935, 459 § 2; amended, 1959, 282 § 3. (See 1935, 459 § 5; 1945, 384 § 3; 1959, 282 § 6.)

SECT. 34B, second paragraph revised, 1933, 83 § 1; 1935, 302; fourth paragraph revised, 1933, 83 § 2; fifth paragraph revised, 1949, 571 § 2. (See 1933, 83 § 3.)

SECT. 34C amended, 1932, 180 § 13; 1949, 571 § 3.

SECT. 34D revised, 1935, 459 § 3; 1949, 571 § 4; first sentence amended, 1959, 282 § 4; last sentence revised, 1950, 162 § 3; 1954, 126 § 3. (See 1935, 459 § 5.)

SECT. 34E revised, 1949, 571 § 5.

SECT. 34F revised, 1949, 571 § 6.

SECT. 34H, first paragraph amended, 1933, 119 § 4; second paragraph amended, 1948, 39; new paragraph inserted, 1933, 119 § 5. (See 1933, 119 § 6.)

SECT. 34I revised, 1949, 571 § 7.

SECT. 34J, sentence added at end, 1959, 282 § 5.

Sects. 35–43 and 44–50 inc. (inserted by 1935, 418 § 2, as amended) and sect. 43A (inserted by 1938, 417 § 9) stricken out and new sections 35–52 inserted, 1939, 393 § 3 (further revising the laws relative to aviation). (See 1939, 393 §§ 4–6.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to sections 35 to 52 as so inserted:

SECT. 35, paragraph defining "Airport" amended, 1941, 537 § 1; paragraph inserted after said paragraph, 1941, 537 § 2; paragraph defining "Landing field" amended, 1941, 537 § 3; two paragraphs added at end, 1941, 537 § 4; section revised, 1946, 507; "Navigable Air Space" defined, 1947, 292.

SECTS. 36–38 repealed, 1946, 583 § 2. (See G. L. 6 §§ 57–59. See also 1946, 583 §§ 1, 4.)

SECT. 39, first paragraph revised, 1941, 695 § 13; section revised, 1946, 583 § 3; first paragraph revised, 1948, 637 § 10. (See 1946, 583 § 5; 1948, 637 §§ 4–9, 13, 663 § 4.)

SECTS. 39A–39F added, 1946, 607 § 1 (relative to a state airport plan).

SECT. 39A, paragraph added at end, 1953, 524 § 1.

SECT. 39B, paragraph inserted after first paragraph, 1948, 505.

SECT. 39C revised, 1949, 762 § 1. (See 1949, 762 § 2.)

SECT. 39D repealed, 1948, 637 § 11. (See 1948, 637 §§ 4–9, 13.)

SECT. 39F revised, 1947, 593 § 4; paragraph added at end, 1953, 524 § 2. (See 1953, 524 § 3.)

SECT. 39G added, 1947, 593 § 5 (making certain provisions of law relating to airports in municipalities applicable to airports in counties).

SECT. 40 revised, 1946, 582 § 1; paragraph added at end, 1949, 60; revised, 1955, 189; two paragraphs added at end, 1956, 337.

SECTS. 40A–40I inserted, 1941, 537 § 5 (relative to protecting the approaches to publicly owned airports).

SECT. 40A, fifth sentence amended, 1950, 421.

SECT. 41 revised, 1946, 582 § 2.

SECT. 42 amended, 1941, 537 § 6.

SECT. 43 revised, 1946, 582 § 3.

SECT. 44 amended, 1941, 537 § 7.

SECT. 45 amended, 1941, 537 § 8; revised, 1947, 319.

SECT. 49A added, 1949, 115 § 1 (relative to court records of cases involving violations of aeronautical laws, rules and regulations); amended, 1953, 319 § 12. (See 1953, 319 §§ 39, 40.)

SECTS. 49B-49T added, 1955, 666 § 1 (requiring owners and operators of aircraft involved in accidents to provide security for payment of damages in certain cases). (See 1955, 666 § 2.)

SECTS. 50A-50L added, under caption, 1948, 637 § 3 (relative to the management of state-owned airports). (See 1948, 637 §§ 4-9, 13, 663 § 4.)

SECT. 50C, paragraph added at end, 1951, 672 § 1. (See 1951, 672 §§ 2, 3.)

SECT. 50D, first sentence amended, 1949, 762 § 3; first paragraph amended, 1955, 452; paragraph inserted after first paragraph, 1958, 275.

SECT. 50F, sentence added at end, 1948, 663 § 2; third paragraph revised, 1949, 763. (See 1948, 663 §§ 4, 5; 1949, 745 § 2.)

SECT. 50H, sentence added at end, 1948, 663 § 3. (See 1948, 663 §§ 4, 5.)

SECT. 51 stricken out, 1946, 613 § 1.

SECTS. 51A-51B added, 1946, 582 § 4 (relative to the supervision of state airports by airport managers and to the leasing thereof); repealed, 1948, 637 § 11. (See 1948, 637 §§ 4-9, 13.)

SECTS. 51C-51L added, 1946, 613 § 1 (relating to the acquisition, establishment, maintenance, operation and regulation of airports by the commonwealth and the cities and towns thereof).

SECT. 51C repealed, 1948, 637 § 11. (See 1948, 637 §§ 4-9, 13.)

SECT. 51E, sentence inserted after first sentence, 1948, 481; second and third sentences revised, 1947, 70; last sentence stricken out and five sentences inserted, 1947, 593 § 1.

SECT. 51F revised, 1949, 769 § 1.

SECT. 51H revised, 1949, 769 § 2.

SECT. 51I revised, 1947, 593 § 2.

SECT. 51K revised, 1947, 593 § 3.

SECT. 51M added, 1947, 332 (prohibiting the granting of exclusive franchises for transportation of persons at airports publicly owned or controlled, or constructed wholly or partly with public funds).

SECT. 51N added, 1947, 501 (authorizing municipalities to establish, maintain and operate airports as joint enterprises).

Chapter 90A. — The Highway Safety Act.

New chapter inserted, 1953, 570 § 1.

SECT. 1 revised, 1954, 425.

SECT. 7, first sentence amended, 1956, 646.

SECT. 7A added, 1955, 417 (relative to the assessment of points under highway safety act and merit rating system).

SECT. 8A added, 1956, 178 (providing that no points shall be charged against an owner or licensed operator before final disposition of an appeal in court).

SECT. 11 repealed, 1956, 201 § 1. (See 1956, 201 § 2.)

SECTS. 12-15, 17 repealed, 1956, 51 § 1.

SECT. 16 amended, 1956, 51 § 2.

Chapter 91. — Waterways.

SECT. 9A added, 1938, 407 § 2 (providing a method for the development of waterfront terminal facilities).

SECT. 11, first sentence revised, 1950, 516; 1955, 5; amended, 1955, 448 § 1; sentence inserted after first sentence, 1955, 448 § 2.

SECT. 12A added, 1939, 513 § 6 (licensing and otherwise regulating structures, filling and excavations in certain rivers and streams).

SECT. 16 amended, 1954, 568 § 3.

SECT. 18, second sentence amended, 1956, 528.

SECT. 19A added, 1954, 258 (regulating the lowering of waters of a great pond).

SECT. 27, paragraph added at end, 1937, 372 § 2; sentence added at end, 1950, 768.

SECT. 29 revised, 1950, 524.

SECT. 30A added, 1950, 214 (prohibiting the removal of certain natural barriers which furnish protection against erosion by the sea).

SECT. 46A added, 1935, 362 § 1 (penalizing the unlicensed breaking up or altering of vessels, sews, lighters or certain other structures).

SECT. 49 revised, 1935, 362 § 2.

SECT. 49A added, 1955, 464 (providing for the removal of certain whales or other mammals from tidewaters or shores of the commonwealth).

SECTS. 60-62 added, 1953, 666 § 2 (transferring the control of Salisbury Beach Reservation to the division of public beaches in the department of public works).

SECT. 60 amended, 1958, 640 § 7.

SECT. 61, first paragraph amended, 1958, 640 § 8; paragraph added at end, 1954, 533.

SECT. 62 amended, 1958, 640 § 9.

Chapter 91A. — Port of Boston Commission (formerly entitled Port of Boston Authority).

New chapter inserted, 1945, 619 § 3. (See 1945, 619 §§ 4-11.)

SECT. 1, section and caption preceding it revised, 1953, 608 § 5. (See 1953, 608 §§ 13-16.)

SECT. 2 revised, 1951, 457 § 1. (See 1951, 457 §§ 3, 4.)

SECT. 3 amended, 1951, 457 § 2; revised, 1953, 608 § 6. (See 1951, 457 §§ 3, 4.)

SECT. 4 amended, 1947, 413 § 1; 1953, 608 § 7.

SECT. 5 amended, 1953, 608 § 8.

SECT. 6 amended, 1953, 608 § 9; revised, 1955, 577 § 1. (See 1955, 577 § 2.)

SECT. 7 amended, 1953, 608 § 10.

SECT. 8 amended, 1953, 608 § 11; repealed, 1954, 568 § 4.

SECT. 9 amended, 1953, 608 § 12.

Chapter 92. — Metropolitan Sewers, Water and Parks.

For legislation abolishing the Metropolitan District Water Supply Commission and transferring its functions to the Metropolitan District Commission, see 1947, 583.

SECT. 1 amended, 1946, 367 § 1; 1950, 648 § 1; section and caption preceding it stricken out and sections 1 and 1A inserted under the caption "Metropolitan Sewerage District", 1959, 612 § 2. (See 1946, 367 § 2; 1959, 612 §§ 6-10.)

SECTS. 5 and 6 stricken out and sections 5, 5A, 5B and 6 inserted, 1959, 612 § 3. (See 1959, 612 §§ 5-10.)

SECT. 8 amended, 1946, 432 § 5.

SECT. 9A added, under caption, 1952, 559 § 1 (providing for the construction and operation of metropolitan refuse disposal incinerators); first sentence revised, 1954, 495 § 1; 1955, 773 § 1. (See 1952, 559 §§ 2, 3; 1954, 495 § 2; 1955, 773 § 2.)

SECT. 10 revised, 1943, 543 § 1; 1945, 587 § 1; paragraph (2) amended, 1946, 549 § 1; paragraph (3) amended, 1947, 575 § 1; 1949, 385 § 1; paragraph (4) amended, 1946, 549 § 2; paragraph (5), sentence added at end, 1946, 549 § 3; paragraph (6) revised, 1946, 549 § 4; paragraph (10) amended, 1946, 243, 549 § 5; 1953, 373; paragraph (12) revised, 1947, 575 § 2. (See 1943, 543 §§ 1A, 3; 1945, 587 § 5; 1947, 575 §§ 3-6; 1949, 494.)

SECT. 13 amended, 1950, 518 § 2.

SECT. 17, paragraph added at end, 1945, 693 § 1.

SECT. 26, first paragraph revised, 1943, 543 § 2; first two paragraphs revised, 1945, 587 § 2; second paragraph amended, 1946, 432 § 6; first two paragraphs revised, 1946, 549 § 6; first paragraph stricken out and five paragraphs inserted, 1953, 618. (See 1945, 587 §§ 4, 5.)

SECTS. 26A and 26B added, 1945, 587 § 3 (fixing the price for water furnished to municipalities by the metropolitan water district and providing for a state borrowing to ensure the maintenance of the price as fixed and providing for disposition of the excess in the metropolitan water works sinking fund).

SECT. 26A, first two sentences revised, 1946, 549 § 7.

SECT. 43 amended, 1950, 518 § 3.

SECT. 46 revised, 1948, 550 § 7.

SECT. 48 amended, 1934, 266 § 1. (See 1934, 266 § 4.)

SECTS. 55 and 56 stricken out and section 55 inserted, 1949, 554 § 1.

SECT. 56 revised, 1933, 197 § 1; sentence added at end, 1939, 429 § 1; section stricken out, 1949, 554 § 1. (See 1939, 429 §§ 2, 4.)

SECT. 57 amended, 1933, 197 § 2; 1949, 554 § 2.

SECT. 58 amended, 1946, 432 § 7.

SECT. 59 amended, 1949, 554 § 3.

SECT. 59A added, 1945, 637 § 7 (relative to annual assessments upon municipalities of the metropolitan districts for maintenance); sentence added at end, 1946, 432 § 8; section revised, 1959, 612 § 4. (See 1945, 279; 1959, 612 § 10.)

SECT. 60 revised, 1939, 429 § 3; last sentence revised, 1946, 432 § 9. (See 1939, 429 § 4.)

SECT. 60A added, 1937, 352 § 1 (regulating the making and awarding of certain contracts by the metropolitan district commission and metro-

politan district water supply commission); repealed, 1941, 547 § 2. (See 1937, 352 § 2; 1941, 547 § 1.)

SECT. 61, first sentence revised, 1954, 162 § 2.

SECT. 62 revised, 1938, 396; amended, 1941, 658 § 1; revised, 1950, 730 § 1. (See 1941, 658 § 2; 1950, 730 § 2.)

SECT. 62A added, 1937, 416 § 1 (providing for a reserve police force for the metropolitan district commission); revised, 1939, 441 § 1. (See 1937, 416 § 5; 1939, 441 §§ 3, 5.)

SECT. 62B added, 1951, 612 (relative to compensation for metropolitan district police for overtime service).

SECT. 63 repealed, 1937, 416 § 2. (See 1937, 416 § 5; 1939, 441 § 3.)

SECT. 63B added, 1948, 653 (providing for the reimbursement of metropolitan district police officers for injuries or damages sustained by them in the line of duty).

SECT. 93 amended, 1934, 266 § 2. (See 1934, 266 § 4.)

SECT. 94 amended, 1934, 266 § 3. (See 1934, 266 § 4.)

SECT. 95A added, 1950, 518 § 1 (relative to the granting of permits by the metropolitan district commission for projections over property under its control).

SECT. 99 repealed, 1947, 530.

SECT. 100 revised, 1939, 499 § 7; 1945, 292 § 9. (See 1945, 637 § 8.)

Chapter 92A. — Massachusetts Public Building Commission.

New chapter inserted, 1947, 466 § 3. (See 1947, 466 §§ 4-6.)

For prior temporary legislation, see 1933, 365, 368; 1934, 41; 1935, 380; 1937, 338; 1938, 20, 501 § 3; 1939, 417, 418; 1941, 720 § 16; 1943, 517 § 3.

Chapter repealed, 1953, 612 § 8. (See 1953, 612 §§ 10-13.)

Chapter 93. — Regulation of Trade and Certain Enterprises.

SECT. 8, sentence added at end, 1938, 410 § 2.

SECTS. 14A-14D added, under caption, 1937, 393 (protecting trade mark owners, distributors and the public against injurious and uneconomic practices in the distribution of articles of standard quality under a trade mark, brand or name).

SECT. 14A amended, 1939, 231.

SECT. 14B amended, 1939, 313.

SECT. 14C revised, 1943, 40.

SECTS. 14E-14K added, under caption, 1938, 410 § 1 (defining and prohibiting unfair sales practices, with a view to preventing the advertising or offering for sale, or the selling below cost, of merchandise for the purpose of injuring competitors or destroying competition). (See 1941, 715.)

SECT. 14E, paragraphs (a) and (b) amended, 1939, 189 § 1; paragraph (h) added at end, 1939, 189 § 2.

SECT. 14F revised, 1941, 494.

SECT. 14I revised, 1958, 633 § 4.

SECTS. 14L-14R added, under caption, 1958, 632 § 1 (regulating trading stamp companies). (See 1958, 632 § 2.)

SECT. 18A added, 1953, 211 (requiring laundries and dry cleaning establishments to file their identification markings with the commissioner of public safety).

Caption preceding section 21 amended, 1939, 343 § 3.

SECT. 21 amended, 1939, 343 § 1; 1941, 583 § 1; 1954, 257 § 1; revised, 1955, 371 § 1.

SECTS. 21A–21D added, 1941, 583 § 2 (defining and further regulating private trade schools).

SECT. 21A revised, 1954, 257 § 2; 1955, 371 § 2; paragraph added at end, 1956, 437.

SECT. 21B revised, 1952, 499 § 3; amended, 1954, 257 § 3; revised, 1955, 371 § 3.

SECT. 21C amended and sentence added at end, 1954, 681 § 6. (See 1954, 681 §§ 20, 22.)

SECT. 21D amended, 1954, 257 § 4; revised, 1955, 371 § 4.

SECT. 22 amended, 1939, 343 § 2; 1941, 583 § 3.

SECT. 24 revised, 1949, 711 § 1.

SECT. 24A added, 1949, 711 § 2 (relative to licenses for the conduct of collection agencies).

SECTS. 28A–28D added, under heading “REGULATING CLOSING OUT SALES, SO CALLED, AND SIMILAR TYPES OF SALES”, 1938, 165.

SECT. 28A revised, 1939, 207; 1948, 550 § 8; 1950, 473; 1953, 164 § 1; amended, 1955, 217.

SECT. 28B stricken out, 1953, 164 § 2.

SECT. 28D amended, 1958, 178 § 1.

SECT. 28E added, 1950, 511 (granting to the superior court jurisdiction in equity to restrain certain violations of the law regulating closing out sales); amended, 1958, 178 § 2.

SECT. 28F added, 1958, 178 § 3 (regulating fire sales, so called, and similar types of sales).

SECT. 29, heading and section amended, 1946, 612 § 3; section revised, 1955, 584 § 4; fourth sentence amended, 1958, 143. (See 1946, 612 §§ 5, 6; 1955, 584 §§ 9, 10.)

SECT. 29A added, 1955, 584 § 5 (relative to notice and hearings on objections to applications for certain permits, and on appeals from decisions of the director of the board of outdoor advertising). (See 1955, 584 §§ 8–10.)

SECT. 30 revised, 1945, 233.

SECT. 30A revised, 1946, 612 § 4; 1955, 584 § 6. (See 1955, 584 §§ 8–10.)

SECT. 31 revised, 1955, 584 § 7. (See 1955, 584 §§ 9, 10.)

SECT. 34, sentence added at end, 1959, 202 § 2. For temporary act to enable savings banks and certain other banking institutions to co-operate in the distribution of United States defense savings bonds and defense postal savings stamps, see 1941, 221, 575.

Chapter 94. — Inspection and Sale of Food, Drugs and Various Articles.

SECT. 1, paragraph in lines 128–132 (defining “pasteurized milk”) revised, 1932, 158; section amended in part, 1933, 67 §§ 1–5; paragraph (defining “half and half”) added, 1955, 757 § 1; paragraph (defining “milk plant” and “manufactory”) added, 1933, 338 § 1; paragraph in

lines 30-36 (defining "butter" and "cheese") stricken out and new paragraph defining "butter" inserted, 1937, 335 § 1; paragraph in line 40 reading, "cheese", see "butter", stricken out and four new paragraphs inserted, 1937, 335 § 2 (defining cheese and cream cheese); paragraph in lines 41-45 ("Closed package") stricken out, 1959, 528 § 1; paragraph (defining "bakery") amended, 1937, 362 § 1; paragraphs in lines 148-164 (defining "agricultural seeds" or "agricultural seed", "noxious weed seeds" and "weed seeds") revised and definition of "vegetable seeds" added, 1938, 363 § 1; paragraphs in lines 165-169 (defining "Inert matter" and "Lot") stricken out, 1959, 396 § 1; last four definitions stricken out, 1946, 377 § 1; five paragraphs (defining "enriched bread", "enriched flour", "person", "rolls" and "white bread") added, 1948, 444 § 1; paragraph (defining "food") revised, 1949, 334 § 9; 1956, 663 § 1; paragraph (defining "garnetted clippings") added, 1957, 581 § 1; stricken out, 1959, 611 § 1; paragraph in lines 170-173 (defining "Article of bedding") stricken out, 1959, 611 § 1; paragraph (defining "New") revised, 1957, 581 § 2; stricken out, 1959, 611 § 1; paragraph in lines 177-181 revised, 1939, 196 § 1; stricken out, 1959, 611 § 1; paragraph (defining "Used or used material") added, 1957, 581 § 3; stricken out, 1959, 611 § 1; paragraph in lines 182-185 (defining "Article of upholstered furniture") stricken out, 1959, 611 § 1. (See 1937, 362 § 7.)

SECT. 6 amended, 1937, 362 § 2. (See 1937, 362 § 7.)

SECT. 7 amended, 1941, 490 § 19.

SECT. 8 revised, 1937, 53.

SECT. 9 amended, 1939, 261 § 6.

SECTS. 9A-9M added, 1937, 362 § 3 (changing the position in the General Laws of certain provisions of law relative to bakeries). (For prior legislation, see G. L. chap. 111 §§ 34-43, 46-49, repealed by 1937, 362 § 6.) (See 1937, 362 §§ 6, 7.)

SECT. 10 amended, 1937, 362 § 4. (See 1937, 362 § 7.)

SECTS. 10A-10E stricken out, and new sections 10A-10G (regulating the manufacture, bottling and sale of certain non-alcoholic beverages) inserted, 1935, 441.

SECT. 10F amended, 1941, 119.

SECTS. 10H-10K added, under caption, 1948, 444 § 2 (relative to enrichment of bread and flour).

SECTS. 12-48A. For temporary legislation establishing within the department of agriculture a milk control board, and defining its powers and duties, see note to G. L. chapter 94A, inserted by 1941, 691 § 2.

SECT. 12 stricken out, and new section 12 (relative to standards for milk and cream) inserted, 1955, 757 § 2.

SECT. 12A added, 1955, 757 § 2 (defining "fortified non-fat milk").

SECT. 12B added, 1955, 757 § 2 (defining "standardized milk").

SECTS. 13, 14, 14A and 15 stricken out, and new sections 13-13E (relative to the grading of milk) inserted, 1933, 263 § 1. (See 1933, 263 § 3.)

SECT. 13A revised, 1948, 227.

SECT. 16 stricken out and sections 16-16I (regulating the production, sale and distribution of milk) inserted, 1932, 305 § 3. (See 1932, 305 §§ 5, 6.)

SECT. 16C amended, 1941, 374; revised, 1946, 467.

SECTS. 16J-16L added, 1946, 542 (relative to the regulation of transportation, handling and sale of milk).

SECT. 16K revised, 1947, 379.

SECT. 17A amended, 1933, 124.

SECT. 18 revised, 1933, 263 § 2. (See 1933, 263 § 3.)

SECT. 19, last paragraph revised, 1955, 757 § 3.

SECT. 20 revised, 1939, 212.

SECT. 29A revised, 1933, 253; 1946, 447 § 1.

SECT. 30 revised, 1933, 253; 1946, 447 § 2.

SECT. 31 revised, 1933, 253; 1946, 447 § 3.

SECT. 40 amended, 1941, 298; fourth sentence revised, 1955, 757 § 4.

SECT. 42A stricken out, and new sections 42A-42K (requiring dealers in milk or cream to be licensed and bonded) inserted, 1933, 338 § 2; affected, 1939, 421.

SECT. 42A amended, 1935, 126.

SECT. 42F revised, 1934, 180 § 1.

SECT. 42H, paragraph 2 revised, 1934, 180 § 2.

SECT. 43 revised, 1932, 305 § 4; amended, 1935, 88; first paragraph amended, 1936, 210. (See 1932, 305 §§ 5, 6.)

SECT. 45 revised, 1935, 317; 1948, 550 § 9.

SECT. 46, sentence added at end, 1955, 757 § 5.

SECT. 48 revised, 1955, 757 § 6.

SECT. 48B added, 1935, 259 (requiring institutions supported wholly or in part by funds of the commonwealth to use milk, other than cream and certified milk, produced within the commonwealth).

SECT. 48C added, 1939, 317 (regulating the manufacture, sale and delivery of certain milk beverages, so called); revised, 1955, 757 § 7.

SECT. 48D added, 1955, 757 § 8 (relative to the blending of milk and cream, establishing sanitary and labelling requirements, and providing penalties for violations thereof).

SECT. 49, sentence added at end, 1948, 453 § 3.

SECT. 50 amended, 1937, 335 § 3.

SECT. 52 amended, 1948, 550 § 10; revised, 1949, 297 § 2; repealed, 1954, 262.

SECT. 54 amended, 1948, 453 § 1.

SECTS. 56 and 57 repealed, 1954, 262.

SECT. 58 amended, 1948, 453 § 2.

SECT. 60 revised, 1934, 373 § 2; amended, 1957, 356 § 1.

SECT. 61A added, 1937, 335 § 4 (relative to the manufacture and sale of certain cheese).

SECTS. 64, 64A, 65, 65A, 65B, 65E and 65F, and the caption of said section 64, stricken out, and sections 65G-65S inserted, under caption "FROZEN DESSERTS AND ICE CREAM MIX", 1934, 373 § 1; caption stricken out and new caption "FROZEN DESSERTS AND FROZEN DESSERT MIX" inserted, 1957, 356 § 2. (See 1934, 373 § 8.)

SECT. 65G, "Frozen dessert mix" defined, 1957, 356 § 3; definition of "Ice Cream" revised, 1950, 236; "Ice milk mix" defined, 1957, 356 § 4; definition of "Milk product" revised, 1959, 468 § 1; definition of "Stabilizer" revised, 1954, 664 § 1; "Sugar" defined, 1954, 664 § 2; "Whey powder" defined, 1959, 468 § 2.

SECT. 65H revised, 1957, 356 § 5.

SECT. 65I revised, 1957, 356 § 6.

SECT. 65J, second paragraph revised, 1937, 341 § 1.

SECT. 65L, subdivision (c) amended, 1937, 341 § 2; section revised, 1957, 356 § 7.

- SECT. 65M revised, 1957, 356 § 8.
SECT. 65N revised, 1957, 356 § 9.
SECT. 65O revised, 1957, 356 § 10.
SECT. 65P, paragraph (f) added at end, 1937, 341 § 3; revised, 1957, 356 § 11.
SECT. 65Q revised, 1957, 356 § 12.
SECT. 66A added, 1945, 109 (making certain laws relative to cold storage warehouses inapplicable to locker plants, so called).
SECT. 73A added, under caption, 1959, 423 (regulating the storage and transportation of frozen food).
SECT. 74 revised, 1933, 329 § 5; repealed, 1941, 598 § 2.
SECT. 74A added, 1933, 329 § 6 (definition of "fish"); repealed, 1941, 598 § 2.
SECTS. 75 and 76 repealed, 1933, 329 § 7.
SECT. 77, first sentence stricken out, 1933, 329 § 8; repealed, 1941, 598 § 2.
SECT. 77A added, 1934, 216 (regulating the importation of fresh swordfish).
SECT. 78 revised, 1933, 329 § 9; repealed, 1941, 598 § 2.
SECT. 78A added, 1933, 329 § 10 (prohibiting certain misrepresentations in the sale of lobsters); repealed, 1941, 598 § 2.
SECT. 79 repealed, 1933, 329 § 7.
SECT. 80 repealed, 1941, 598 § 2.
SECT. 81 revised, 1933, 329 § 11; 1939, 491 § 10; repealed, 1941, 598 § 2. (See 1939, 491 § 12.)
SECT. 82 repealed, 1941, 598 § 2.
SECT. 83 revised, 1933, 329 § 12; repealed, 1941, 598 § 2.
SECT. 85 amended, 1939, 261 § 7.
SECT. 86, two sentences added at end, 1955, 415.
SECT. 88A revised, 1933, 329 § 13; repealed, 1941, 598 § 2.
SECT. 88B added, 1936, 176 (requiring that shucked scallops and quahaugs in the shell be sold only by weight).
SECT. 90A added, 1935, 369 (relative to the sale and distribution of eggs).
SECT. 90B added, 1938, 404 (establishing standard sizes in connection with the sale and distribution of eggs); revised, 1951, 266.
SECT. 92B added, under caption, 1935, 97 (requiring the retail sale of meats and poultry to be by weight); section and caption preceding section revised, 1959, 219.
SECT. 98 amended, 1939, 261 § 8.
SECT. 99A amended, 1939, 261 § 9; sentence inserted after fourth sentence, 1952, 121.
SECT. 100 repealed, 1959, 528 § 2.
SECTS. 101-109 stricken out, and new sections 101-109 inserted, 1959, 528 § 3.
SECT. 117A, first sentence amended, 1951, 600 § 1. (See 1951, 600 § 3.)
SECTS. 117G-117L added, under caption, 1951, 600 § 2 (relative to the grading and marking of potatoes). (See 1951, 600 § 3.)
SECT. 118 amended, 1943, 332 § 1.
SECT. 119 amended, 1943, 332 § 2; 1949, 334 § 1.
SECT. 120 amended, 1943, 332 § 3; revised, 1949, 334 § 2.
SECT. 120A amended, 1943, 332 § 4; revised, 1949, 334 § 3.

- SECT. 123 amended, 1932, 180 § 15; 1943, 332 § 5.
SECT. 124 revised, 1943, 508 § 1.
SECT. 126 amended, 1946, 213 § 1.
SECT. 128 amended, 1946, 213 § 2.
SECT. 129 revised, 1946, 213 § 3; amended, 1949, 334 § 4.
SECT. 130 amended, 1946, 213 § 4; 1949, 334 § 5.
SECT. 131 revised, 1943, 332 § 6; 1949, 334 § 6; first paragraph amended, 1952, 201; paragraph added at end, 1950, 317.
SECT. 132 amended, 1949, 334 § 7.
SECT. 133 amended, 1943, 332 § 7; 1946, 213 § 5.
SECT. 133A added, 1946, 213 § 6 (further regulating the slaughtering of certain animals).
SECT. 134 amended, 1946, 213 § 7.
SECT. 135 amended, 1943, 332 § 8.
SECT. 137 amended, 1949, 334 § 8.
SECT. 138 amended, 1943, 508 § 2.
SECT. 139 amended, 1946, 213 § 8.
SECT. 139A added, 1945, 679 (relative to the establishment and operation of poultry slaughtering houses); last paragraph revised, 1948, 339; 1955, 289.
SECT. 139B added, 1956, 712 § 1 (to protect the public against the sale of unwholesome poultry). (See 1956, 712 § 2.)
SECTS. 143B and 143C added, 1956, 693 (permitting the manufacture of sausage contained in colored casings and regulating the sale thereof).
SECT. 146, first paragraph amended, 1934, 340 § 6; 1943, 508 § 3; second paragraph amended, 1952, 387. (See 1934, 340 § 18.)
SECT. 148, second paragraph amended, 1934, 340 § 6A. (See 1934, 340 § 18.)
SECT. 151 revised, 1943, 508 § 4.
SECT. 151A added, 1948, 189 (regulating the sale of horse meat for food in certain places); revised, 1953, 136.
SECTS. 152A–152C added, 1934, 296 (relative to the sale and transportation of poultry).
SECT. 152A amended, 1935, 157 § 1; 1949, 446 § 1; definitions of “poultry sold or used for food” and “producer” inserted, 1955, 515 § 1.
SECT. 152B revised, 1935, 157 § 2.
SECT. 152D added, 1949, 446 § 2 (relative to the bonding of licensees engaged in the business of buying or selling poultry).
SECTS. 152E–152G added, 1955, 515 § 2 (making the protection under the poultry bonding law applicable only to poultry producers).
SECT. 153A added, 1933, 116 (relative to the sale of meat and meat products containing certain preservatives); revised, 1933, 311; 1945, 165.
SECT. 172 revised, 1939, 122.
SECT. 174A added, 1945, 92 § 1 (fixing standard weights of containers for certain flours, etc.); revised, 1946, 92.
SECT. 175 repealed, 1945, 92 § 2.
SECT. 177 revised, 1946, 176.
SECT. 181 amended, 1939, 261 § 10.
SECT. 182 amended, 1939, 261 § 11.
SECT. 184 amended, 1939, 261 § 12.
SECT. 185A repealed, 1937, 341 § 4.
SECT. 186 revised, 1948, 598 § 1.

SECT. 187 revised, 1948, 598 § 2; paragraph in lines 65-67 revised, 1954, 577 § 1; stricken out and two paragraphs inserted, 1957, 284; definitions of "Oral prescription", "Written prescription" and "Pharmacist" inserted, 1954, 577 § 2.

SECT. 187A added, 1948, 598 § 3 (further regulating the sale of certain harmful drugs); revised, 1954, 577 § 3; first paragraph amended, 1955, 718 § 1; second paragraph amended, 1956, 299 § 1; fourth paragraph amended, 1956, 299 § 2. (See 1954, 577 § 4.)

SECTS. 187B and 187C added, 1955, 610 (relative to the illegal possession of harmful drugs and the reporting of harmful drug intoxication to the department of public health).

SECT. 187D added, 1955, 718 § 2 (providing a penalty for the unauthorized making or altering of a prescription).

SECT. 189, first sentence amended, 1948, 598 § 4.

SECT. 189A added, 1948, 598 § 5 (relative to the adulteration or misbranding of food and drugs).

SECT. 192 revised, 1948, 598 § 6.

SECT. 193 revised, 1948, 598 § 7.

SECT. 196 repealed, 1948, 598 § 8.

SECT. 197,* paragraph defining "Narcotic drugs" revised, 1935, 412 § 1; amended, 1943, 305 § 1; revised, 1955, 100 § 1; fourth paragraph revised, 1943, 305 § 2.

SECT. 198* amended, 1935, 412 § 2; sixth sentence revised, 1948, 473; paragraph inserted, 1955, 400.

SECTS. 198A and 198B* added, 1935, 412 § 3 (relative to the licensing of certain dealings in narcotic drugs).

SECT. 201* amended, 1935, 412 § 4.

SECT. 203* amended, 1935, 412 § 5.

SECT. 206* amended, 1935, 412 § 6; repealed, 1955, 100 § 2.

SECT. 209* revised, 1945, 509; 1954, 226 § 1.

SECT. 209A* revised, 1954, 226 § 2.

SECT. 211* amended, 1935, 412 § 7; revised, 1938, 321 § 1.

SECT. 212* amended, 1938, 321 § 2; 1951, 575.

SECT. 212A* added, 1938, 321 § 3 (providing for the arrest without a warrant and punishment of a person present where a narcotic drug is unlawfully kept or deposited).

SECT. 212B* added, 1957, 449 (requiring physicians to furnish certain information to the department of public health concerning narcotic users).

SECT. 214* amended, 1935, 412 § 8; 1943, 357.

SECT. 215* amended, 1935, 412 § 9.

SECT. 217* amended, 1935, 412 § 10.

Sects. 197-217, as amended, stricken out, and new sections 197-217D inserted, 1957, 660 § 1. (See 1957, 660 §§ 6, 7.)

The following references are to sections 197-217D, as so inserted:

SECT. 199F inserted, 1959, 210 (penalizing the use of certain narcotic preparations except in good faith as a medicine).

SECT. 205 revised, 1958, 95 § 1.

* See later amendments to sections 197 to 217, inclusive.

SECT. 211, paragraphs (a), (b) and (c) revised, 1958, 276; paragraph (c) amended, 1959, 248.

SECT. 212 revised, 1958, 95 § 2.

SECT. 213 revised, 1958, 181.

SECT. 225, paragraph added at end, 1939, 69.

SECT. 239A amended, 1939, 261 § 13.

SECT. 244 amended, 1941, 155 § 1.

SECT. 245 revised, 1933, 94 § 2; amended, 1939, 261 § 13A; revised, 1941, 155 § 2.

SECT. 246 revised, 1941, 155 § 4.

SECT. 248 amended, 1934, 184; 1939, 261 § 14; revised, 1943, 241 § 1; amended, 1946, 222; revised, 1952, 99.

SECT. 249A amended, 1939, 261 § 15.

SECT. 249B amended, 1939, 261 § 16.

SECT. 249E revised, 1943, 241 § 2.

SECT. 249E½ added, 1943, 241 § 3 (relative to the allowable amount of non-combustible residue of coal and coke).

SECT. 249F amended, 1939, 261 § 17; 1943, 241 § 4.

SECT. 249G added, under caption, 1933, 94 § 1 (authorizing certain officers to direct the weighing of material for road construction); amended, 1939, 261 § 17A; repealed, 1941, 155 § 3.

SECT. 250 revised, 1933, 67 § 6.

SECT. 252 amended, 1933, 67 § 7.

SECT. 254 amended, 1933, 67 § 8.

SECT. 255 amended, 1933, 67 § 9.

SECT. 256 revised, 1933, 67 § 10.

SECT. 257 revised, 1933, 67 § 11.

SECT. 258 revised, 1933, 67 § 12.

Sects. 261A–261L, as amended, stricken out, and new sections 261A–261K inserted, 1946, 377 § 2.

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

Sects. 261A–261K stricken out and new sections 261A–261K inserted, 1959, 396 § 2.

SECT. 270,† paragraph added at end, 1937, 176.

SECTS. 270A and 270B † added, 1935, 439 (providing for the sterilization of feathers, down and second-hand material intended for use in the manufacture of any article of bedding or of upholstered furniture).

SECT. 270C † added, 1939, 196 § 2 (relative to the marking of certain articles of bedding and upholstered furniture consisting in whole or in part of second-hand metal).

SECT. 270D † added, 1939, 351 (further regulating the sale within the commonwealth of articles of bedding and upholstered furniture); repealed, 1941, 57.

SECT. 273,† two sentences inserted after first sentence, 1957, 581 § 4.

SECT. 276 † amended, 1939, 196 § 3.

† See later amendments to sections 270 to 277, inclusive.

SECTS. 270-277, as amended, and caption preceding said sections stricken out, and new sections 270-277 inserted under caption "UPHOLSTERED FURNITURE AND BEDDING", 1959, 611 § 2.

SECT. 277A added, under caption, 1941, 422 (requiring the marking or labelling of furs, imitation furs and articles made therefrom, and prohibiting misrepresentation in such marks or labels).

SECT. 283 amended, 1939, 261 § 17B.

SECT. 285 revised, 1950, 110 § 1.

SECT. 286 revised, 1950, 110 § 2.

SECT. 287 revised, 1950, 110 § 3.

SECT. 288 revised, 1950, 110 § 4.

SECT. 295A added, under caption, 1933, 228 (relative to prevention of fraud and misrepresentation in the sale of gasoline, lubricating oils and other motor fuels, and to prevention of the adulteration thereof).

SECTS. 295B and 295C added, 1938, 411 (prohibiting and penalizing the use of misleading signs relating to the price of gasoline and other motor fuel).

SECT. 295C revised, 1939, 218.

SECTS. 295A-295C stricken out, and new sections 295A-295O inserted, 1939, 459 § 1 (further regulating the advertising and sale of motor fuel at retail). (See 1939, 459 § 3.)

SECT. 295A amended and paragraph (6) inserted, 1950, 515 § 1.

SECT. 295B, first paragraph amended, 1950, 497; section revised, 1957, 443.

SECT. 295F amended, 1955, 183.

SECT. 295G revised, 1941, 311; paragraph added at end, 1950, 496.

SECTS. 295P-295W added, 1950, 515 § 2 (to prevent unfair discrimination, competition and destructive trade practices in the retail sale of motor fuel).

SECT. 298 amended, 1934, 109 § 1.

SECT. 299 amended, 1934, 109 § 2.

SECTS. 303A-303E added, under caption, 1934, 372 § 3 (relative to methyl or wood alcohol and to certain preparations containing such alcohol).

SECT. 303A amended, 1935, 342; 1936, 53.

SECT. 303B amended, 1937, 177 § 1.

SECT. 303C revised, 1937, 177 § 2.

SECT. 303F added, under caption, 1935, 95 (regulating the sale of fuel oils); amended, 1952, 107.

SECT. 305A amended, 1937, 362 § 5. (See 1937, 362 § 7.)

SECT. 305C added, 1956, 663 § 2 (providing for the registration of persons engaged in the processing of food).

SECT. 307 added, 1958, 610 (prohibiting the sale of tobacco products which have been contaminated by fire, smoke or water).

Chapter 94A. — Milk Control.

New chapter inserted, 1941, 691 § 2. (See 1941, 691 §§ 3-6.)

For prior temporary legislation establishing within the department of agriculture a milk control board, and defining its powers and duties, see 1934, 376; term of office of said board extended, 1936, 300; 1938, 334;

1939, 413; 1941, 418 § 1, 631 § 1; legislation amended, 1937, 428; 1938, 279; 1939, 302.

SECT. 1, paragraph defining "Board" stricken out and definition of "Commission" inserted, 1953, 604 § 2.

SECTS. 2-11 amended, 1953, 604 § 3.

SECT. 2, subsection (3) amended, 1955, 757 § 9.

SECT. 9, paragraphs (a) and (b) revised, 1955, 757 § 10.

SECT. 12 revised, 1950, 756; amended, 1953, 604 § 4.

SECT. 12A added, 1943, 445 (defining the powers and duties of the milk control board in case of a failure to pay the official minimum price for the sale or delivery of milk); amended, 1953, 604 § 3.

SECT. 13, subsections (e) and (f) added at end, 1945, 134 (relative to the furnishing to the milk control board of certain information by licensed milk dealers); first paragraph of subsection (e) revised, 1946, 312; amended, 1953, 604 § 3. (See 1945, 409.)

SECTS. 14-21 amended, 1953, 604 § 3.

SECT. 21, fourth sentence revised and seventh sentence stricken out, 1954, 681 § 7. (See 1954, 681 §§ 20-22.)

SECT. 22 revised, 1943, 164; amended, 1953, 604 § 5.

SECT. 22A added, under caption, 1943, 147 (in aid of the construction and enforcement of the state milk control law, so called).

SECT. 24 amended, 1953, 604 § 3.

Chapter 95. — Measuring of Leather.

SECT. 1 amended, 1939, 261 § 18.

Chapter 96. — Measurement of Lumber.

SECT. 11A added, 1945, 145 (adopting the international log rule as standard for determining the board feet content of saw logs).

Chapter 97. — Surveying of Land.

SECTS. 3-6 stricken out and section 3 inserted, 1956, 182 § 1. (See 1956, 182 § 2.)

SECTS. 8-13 added, 1941, 47 (defining and authorizing the use of a system of plane co-ordinates for designating and stating positions of points on the surface of the earth within the commonwealth).

Chapter 98. — Weights and Measures.

SECT. 1 amended, 1939, 261 § 19.

SECT. 12, second paragraph revised, 1948, 373.

SECT. 14A amended, 1936, 73.

SECT. 15 revised, 1953, 259 § 1. (See 1953, 259 § 2.)

SECT. 20 amended, 1934, 373 § 3; revised, 1957, 356 § 13.

SECT. 21 amended, 1934, 373 § 4; revised, 1957, 356 § 14.

SECT. 22 amended, 1939, 261 § 19A; revised, 1941, 59; amended, 1953, 86.

SECT. 28A added, 1950, 425 (regulating the sealing and testing of meters used for measuring liquefied petroleum gas).

SECT. 29, caption preceding section revised, 1941, 490 § 20; paragraph added at end, 1945, 273.

SECT. 30 repealed, 1935, 60 § 2.

SECT. 32 amended, 1935, 60 § 3.

SECT. 34 amended, 1955, 190.

SECT. 37 amended, 1936, 72.

SECT. 41 amended, 1941, 462.

SECT. 42 amended, 1955, 185.

SECT. 56, paragraph ($b\frac{1}{2}$) added, 1934, 98 (establishing fees for sealing certain liquid-measuring meters); section revised, 1937, 74; paragraph ($b\frac{1}{2}$) added, 1937, 305 § 1; section revised, 1949, 34 § 1; paragraph (j) revised, 1955, 184. (See 1937, 305 § 2; 1949, 34 § 2.)

SECT. 56A added, 1941, 60 (relative to the location of scales and other weighing devices used in weighing food sold at retail by weight).

Chapter 99. — The Metric System of Weights and Measures.

SECT. 1 amended, 1939, 261 § 20.

SECT. 3 amended, 1939, 261 § 21.

SECT. 4 amended, 1939, 261 § 22.

Chapter 100. — Auctioneers.

SECT. 1, paragraph added at end, 1936, 209 § 1.

SECT. 2 revised, 1941, 81; 1948, 550 § 11; 1949, 297 § 3.

SECT. 5 amended, 1932, 156 § 1.

SECT. 6 revised, 1948, 550 § 12; 1949, 297 § 4.

SECT. 14 revised, 1932, 156 § 2; 1948, 550 § 13; 1949, 297 § 5.

SECT. 16 revised, 1932, 156 § 3.

SECTS. 18-21 added, 1936, 209 § 2 (relative to bankruptcy auctions and other auctions of similar type and relative to certain fraudulent practices at auctions).

SECT. 18 revised, 1948, 550 § 14; 1949, 297 § 6.

Chapter 101. — Transient Vendors, Hawkers and Pedlers.

SECT. 1, paragraph inserted before first paragraph, 1941, 490 § 21; second paragraph revised, 1936, 218; section revised, 1958, 146.

SECT. 2 amended, 1948, 372; 1957, 243; revised, 1959, 218.

SECT. 3 amended, 1939, 261 § 23; 1941, 490 § 22; second sentence revised, 1948, 493 § 1. (See 1948, 493 § 5.)

SECT. 5 amended, 1933, 254 § 64. (See 1933, 254 § 66.)

SECT. 6A added, 1938, 85 (providing that applications for transient vendors' licenses shall contain irrevocable power of attorney for service of process, and providing for services of process under authority thereof).

SECT. 15 amended, 1937, 214; revised, 1937, 333; 1955, 757 § 11.

SECT. 16 revised, 1935, 42; amended, 1937, 130.

SECT. 19 amended, 1934, 114; 1937, 73.

SECT. 22, sentence added at end, 1948, 493 § 2. (See 1948, 493 § 5.)

SECT. 23, sentence added at end, 1948, 493 § 3. (See 1948, 493 § 5.)

SECT. 24 amended, 1936, 74; 1945, 493 § 1; 1951, 395; sentence added at end, 1948, 493 § 4; section revised, 1954, 627 § 22; amended, 1955, 214. (See 1945, 493 § 2; 1948, 493 § 5; 1954, 627 §§ 65, 67.)

SECT. 27 amended, 1941, 490 § 23.

SECT. 30 amended, 1934, 77.

SECT. 32 amended, 1941, 490 § 24.

SECT. 33 amended, 1945, 160.

Chapter 102. — Shipping and Seamen, Harbors and Harbor Masters.

SECT. 15 revised, 1932, 232 § 1.

SECT. 15A added, 1932, 232 § 2 (penalty for improper operation of motor and other boats).

SECT. 15B added, 1950, 678 (relative to the regulation of the operation of motor boats upon rivers or inland lakes).

SECT. 17 revised, 1932, 57.

Chapter 103. — Pilots.

SECT. 31 revised, 1953, 41; 1958, 222.

Chapter 104. — Agents, Consignees and Factors.

SECT. 4, sentence added at end, 1957, 765 § 4. (See 1957, 765 § 21.)

Chapter 105. — Public Warehouses.

SECT. 1 amended, 1935, 310 § 1; "Public Warehouse" and "Warehouseman" or "public warehouseman" defined, 1957, 765 § 5. (See 1957, 765 § 21.)

SECTS. 2A and 2B added, 1935, 122 § 1 (relative to the termination of liability of sureties on bonds furnished by public warehousemen). (See 1935, 122 § 3.)

SECT. 2C added, 1947, 499 (authorizing the keeping and maintenance of certain public warehouses without a license).

SECT. 6 revised, 1935, 122 § 2. (See 1935, 122 § 3.)

SECT. 9, clause (*h*) revised, 1935, 310 § 2.

SECT. 26 amended, 1948, 145.

SECT. 33, paragraph added at end, 1946, 172.

SECTS. 7-54, 65, 66 repealed, 1957, 765 § 2; captions preceding sections 7, 15, 42, 65 stricken out, 1959, 580 § 1. (See 1957, 765 § 21.)

SECT. 57 amended, 1959, 580 § 2.

SECT. 59 amended, 1959, 580 § 3.

Chapter 106. — Uniform Commercial Code.

Chapter stricken out and new chapter inserted, 1957, 765 § 1. (See 1957, 765 §§ 17-21.)

SECT. 1 — 201, subsection (30) revised, 1958, 542 § 1; subsection (33) revised, 1958, 542 § 2.

SECT. 2 — 312, subsection (4) added, 1958, 542 § 3.

SECT. 2 — 603, subsection (1) amended, 1958, 542 § 4.

SECT. 3 — 104, revised, 1958, 542 § 5.

SECT. 3 — 511, subsection (6) revised, 1958, 542 § 6.

SECT. 3 — 601, subsection (1), subparagraph (*d*) amended, 1958, 542 § 7; subsection (3), subparagraph (*b*) amended, 1958, 542 § 8.

SECT. 8 — 304, subsection (2) amended, 1959, 580 § 4.

SECT. 8 — 311 amended, 1958, 542 § 9.

SECT. 8 — 318 amended, 1959, 580 § 5.

SECT. 8 — 402 revised, 1959, 580 § 6.

SECT. 8 — 403 revised, 1959, 580 § 7.

SECT. 9 — 105, subsection (2) amended, 1958, 542 § 10.

SECT. 9 — 207 revised, 1959, 580 § 8.

SECT. 9 — 301, subsection (2) amended, 1959, 580 § 9.

SECT. 9 — 310 amended, 1958, 542 § 11.

SECT. 9 — 312, subsection (3), subparagraph (*b*) amended, 1958, 542 § 12; subsection (4) amended, 1959, 580 § 10; subsection (5) amended, 1958, 542 § 13.

SECT. 9 — 402, subsection (3) revised, 1958, 542 § 14.

SECT. 9 — 403, subsection (3) amended, 1958, 542 § 15; subsection (4) amended, 1959, 580 § 11; subsection (5) amended, 1958, 542 § 16.

SECT. 9 — 404, subsection (2) revised, 1958, 542 § 17.

SECT. 9 — 405 revised, 1959, 580 § 12.

SECT. 9 — 407, subsection (2) revised, 1958, 542 § 18.

SECT. 9 — 408 added, 1958, 542 § 19 (relative to the destruction of certain old records).

SECT. 9 — 501 revised, 1959, 580 § 13.

Chapter 107. — Money and Registration, Issuance and Redemption of Bonds and Other Securities, Facsimile Signatures (former title, Money and Negotiable Instruments).

Title changed, 1959, 550 § 14.

SECT. 5 revised, 1947, 55; repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

SECT. 6 repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

SECT. 9 repealed, 1957, 765 § 2; caption preceding said section stricken out, 1959, 580 § 14. (See 1957, 765 § 21.)

SECT. 11 repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

SECT. 12 repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

SECT. 13, caption preceding said section stricken out, 1959, 580 § 14.

SECT. 31 amended, 1941, 215.

SECTS. 14-45 repealed, 1957, 765 § 2; captions preceding any of said sections stricken out, 1959, 580 § 14. (See 1957, 765 § 21.)

SECT. 45A added, 1953, 439 (relative to the use of facsimile signatures in the drawing of checks by treasurers of public bodies).

SECT. 107 amended, 1950, 287 § 2.

SECT. 111A added, 1947, 167 (relative to the time for payment by banks of checks and other instruments); repealed, 1950, 287 § 3.

SECTS. 46-212 repealed, 1957, 765 § 2; captions preceding any of said sections stricken out, 1959, 580 § 14. (See 1957, 765 § 21.)

Chapter 107A. — Assignments of Accounts Receivable.

New chapter inserted, 1945, 141 § 1; repealed, 1957, 765 § 2. (See 1945, 141 § 2; 1957, 765 § 21.)

Chapter 108. — Criminal Offences Relative to Bills of Lading (former title, Bills of Lading).

Title changed, 1959, 580 § 15.

SECTS. 1-41 repealed, 1957, 765 § 2; captions preceding any of said sections stricken out, 1959, 580 § 15. (See 1957, 765 § 21.)

SECT. 42 revised, 1959, 580 § 16.

SECT. 44 amended, 1959, 580 § 17.

SECTS. 49-51 repealed, 1957, 765 § 2; caption preceding section 49 stricken out, 1959, 580 § 15. (See 1957, 765 § 21.)

Chapter 108A. — Partnerships.

SECT. 34, first paragraph amended, 1932, 180 § 16.

Chapter 109. — Limited Partnerships.

SECT. 31 amended, 1957, 698 § 1.

Chapter 110. — Labels, Trade Marks, Names and Registration thereof.

SECT. 4B added, 1946, 169 § 1 (penalizing the use for trade purposes of the words "Army", "Navy" and other words denoting branches of the United States Government); amended, 1948, 466; sentence added at end, 1956, 350. (See 1946, 169 § 3.)

SECT. 5 revised, 1948, 550 § 15; 1952, 32 § 1; 1959, 63.

SECT. 7A added, 1947, 307 (authorizing injunctive relief in certain cases of trade mark infringement or unfair competition).

SECT. 8, paragraph added at end, 1958, 442 § 1. (See 1958, 442 § 2.)

SECT. 17 revised, 1948, 550 § 16.

SECT. 20 amended, 1953, 319 § 13. (See 1953, 319 §§ 39, 40.)

SECT. 21 amended, 1934, 373 § 5; revised, 1948, 550 § 17; 1957, 356 § 15.

SECT. 25 amended, 1953, 319 § 14. (See 1953, 319 §§ 39, 40.)

SECTS. 25A-25C added, under caption, "REGISTRATION OF CERTAIN TOWELS, GARMENTS, APRONS AND LINENS", 1958, 389 § 1.

SECT. 26 amended, 1946, 169 § 2.

SECT. 29 added, 1958, 389 § 2 (establishing penalties for violations of provisions relative to registration of certain towels, garments, aprons and linens).

Chapter 110A. — Promotion and Sale of Securities.

Chapter stricken out and new chapter 110A inserted, 1932, 290 § 1. (See 1932, 290 §§ 3, 4.)

The following references are to chapter 110A as so inserted:

SECT. 2, paragraph (a) revised, 1939, 442 § 4; paragraph (c) amended, 1936, 316; 1938, 445 § 2; paragraph (f) revised, 1938, 445 § 3.

SECT. 3, paragraph ($i\frac{1}{2}$) inserted, 1945, 288 § 1; last paragraph revised, 1945, 288 § 2; section revised, 1954, 558 § 1.

SECT. 4, paragraph (g) revised, 1938, 445 § 4; paragraph (h) stricken out, 1954, 558 § 2; paragraph (j) added, 1938, 445 § 5.

SECT. 5, paragraph inserted before the last paragraph, 1938, 445 § 6; same paragraph amended, 1954, 558 § 3.

SECT. 9, last sentence stricken out, 1938, 445 § 7.

SECT. 10, second sentence revised, 1954, 558 § 4; fourth sentence stricken out and two new sentences inserted, 1938, 445 § 8; three sentences added at end of first paragraph, 1954, 558 § 5.

SECT. 11 amended, 1950, 822 § 2.

SECT. 11A added, 1938, 445 § 9 (regulating the sale by a corporation of its securities to employees). [For prior legislation, see General Laws, chapter 155 § 23A, repealed by 1938, 445 § 13.]

SECT. 11A stricken out and sections 11A–11E inserted, 1950, 822 § 3 (relative to the sale of securities on the installment plan).

SECT. 12 revised, 1938, 445 § 10; last paragraph amended, 1939, 442 § 5.

SECT. 12A added, 1938, 445 § 11 (relative to the modifying or annulling by the commission of orders or findings made by the director of the securities division and to review of such action); repealed, 1939, 442 § 6.

SECT. 13 amended, 1936, 68.

SECT. 18 revised, 1938, 445 § 12.

Chapter 111. — Public Health.

For temporary legislation providing for a dental research program for the training of feminine personnel, see 1949, 473; repealed, 1950, 667.

SECT. 1, paragraph added at end, 1938, 265 § 6; “Inland waters” defined, 1951, 448 § 1.

SECTS. 1A and 1B added, 1951, 552 (providing that certain laws relating to pollution or contamination of waters shall apply to governmental agencies).

SECT. 2A added, 1956, 602 § 11 (providing for co-operation by the commissioner with the Massachusetts rehabilitation commission for rehabilitation of handicapped persons).

SECT. 3 revised, 1946, 152.

SECT. 3A added, 1956, 436 § 3 (establishing the board of trustees of the Massachusetts hospital school).

SECTS. 4A–4C added, 1950, 800 (relative to the establishment of alcoholic clinics).

SECT. 4A, two sentences added at end of first paragraph, 1954, 581 § 3; section revised, 1956, 715 § 3; 1959, 418 § 4. (See 1954, 581 §§ 4, 5; 1959, 418 §§ 5–8.)

SECT. 4C amended, 1956, 715 § 4.

SECT. 4D added, 1959, 418 § 3.

SECT. 5, paragraph added at end, 1941, 388; same paragraph revised, 1945, 615; section revised, 1957, 678 § 1; second, third and fourth paragraphs stricken out and three paragraphs inserted, 1959, 522. (See 1957, 678 § 2.)

SECT. 5A added, 1941, 612 (relative to the preparation and distribution by the department of public health of products applicable to the prevention or cure of diseases of man).

SECT. 5B added, 1955, 335 (authorizing the department of public health to regulate methods of handling and disposing of radioactive materials).

SECT. 5C added, 1956, 595 (to regulate certain uses of fluoroscopic shoe-fitting machines); repealed, 1958, 79 § 1.

SECT. 5D added, 1959, 501 (authorizing the department of public health to make rules and regulations concerning plastic bags and plastic film and to provide penalties for the violation thereof).

SECT. 6 revised, 1938, 265 § 7; sentence added at end, 1948, 129 § 1.

SECT. 8A added, 1959, 502 (authorizing the department to make rules and regulations concerning the disposal or discard of containers of poisonous substances).

SECT. 9, two sentences inserted after second sentence, 1957, 593.

SECT. 11 revised, 1934, 328 § 1.

SECT. 12 revised, 1943, 331 § 1.

SECT. 13, last sentence revised, 1943, 331 § 2.

SECT. 15 amended, 1934, 340 § 7. (See 1934, 340 § 18.)

SECT. 16 amended, 1934, 340 § 8. (See 1934, 340 § 18.)

SECT. 17 amended, 1937, 340.

SECT. 20 revised, 1947, 76.

SECT. 24 amended, 1937, 365; revised, 1939, 234; 1945, 292 § 10.

SECT. 26 revised, 1946, 268 § 1.

SECTS. 26A-26E added, 1946, 268 § 2 (relative to the replacement of a board of health of a city by a health department).

SECT. 27A revised, 1932, 209.

SECTS. 27B and 27C added, 1953, 600 § 1 (relative to the organization of regional health districts). (See 1953, 600 § 2.)

SECT. 27B, fifth paragraph amended, 1954, 273; sixth paragraph amended, 1954, 681 § 8. (See 1954, 681 §§ 20-22.)

SECT. 31 amended, 1937, 285.

SECT. 31A stricken out, and new sections 31A and 31B inserted, 1937, 282.

SECT. 31A, paragraph added at end, 1945, 423.

SECT. 31C added, 1954, 672 § 4 (relative to the control of atmospheric pollution by local boards of health).

SECTS. 34-43 and 46-49, and the caption preceding section 34, repealed. 1937, 362 § 6. (See 1937, 362 §§ 1-5, 7.)

SECT. 51 revised, 1943, 16 § 1.

SECT. 53 amended, 1943, 16 § 2.

SECT. 54 amended, 1943, 16 § 3.

SECT. 57A added, 1943, 436 § 1 (permitting the department of public health to establish and maintain cancer clinics). (See 1943, 436 § 2.)

SECT. 57B added, 1953, 382 (relative to the establishing and maintenance of muscular dystrophy clinics).

SECT. 57C added, 1954, 538 § 1 (creating facilities for care of the aging).

SECTS. 58-62, and caption preceding section 58, stricken out, and new sections 58-62 inserted under the caption "Agencies giving day care to children", 1950, 205.

SECT. 58 revised, 1959, 457.

SECT. 59, sentence added at end, 1959, 497.

SECTS. 62I-62S added, under caption, 1954, 508 § 1 (establishing the Massachusetts hospital school and hospital for state minor wards). (See 1954, 508 §§ 3-5.)

SECT. 65 revised, 1951, 562 § 1; 1952, 270 § 1; 1957, 460. (See 1951, 562 § 11; 1952, 270 § 10.)

SECT. 65A amended, 1936, 346 § 1; 1941, 506; revised, 1948, 412;

amended, 1952, 492; revised, 1953, 383; 1954, 538 § 2; 1955, 220; 1957, 458. (See 1936, 346 § 2.)

SECT. 65B added, 1945, 453 (providing for the admission of children suffering from rheumatic heart disease to the North Reading state sanatorium); revised, 1958, 258.

SECTS. 65C and 65D added, 1959, 131 (relative to certain funds of patients now or formerly in institutions under the supervision and control of the department of public health).

SECT. 66 amended, 1934, 219; first sentence revised, 1947, 630; section revised, 1951, 562 § 2; 1952, 270 § 2; second sentence stricken out and two sentences inserted, 1957, 461. (See 1936, 346 § 2; 1951, 562 §§ 10, 11; 1952, 270 § 10.)

SECT. 66A added, 1937, 392 (permitting the admission to state sanatoria and county tuberculosis hospitals, for purposes of diagnosis and observation, of certain patients with diseases of the lungs other than recognizable tuberculosis).

SECT. 67 revised, 1956, 345.

SECTS. 67A-67D added, under caption "CARE OF CERTAIN INFANTS PREMATURELY BORN", 1937, 332.

SECT. 67A revised, 1939, 246 § 1; 1949, 601 § 1.

SECT. 67B revised, 1949, 601 § 2.

SECT. 67C revised, 1939, 246 § 2; amended, 1945, 535; revised, 1949, 601 § 3; amended, 1955, 753.

SECT. 69A amended, 1936, 337 § 1; repealed, 1957, 459 § 1.

SECT. 69B revised, 1953, 562; amended, 1955, 585 § 1; repealed, 1957, 459 § 1. (See 1955, 585 § 3.)

SECT. 69C amended, 1936, 337 § 2; revised, 1953, 562; amended, 1955, 585 § 2; repealed, 1957, 459 § 1. (See 1955, 585 § 3.)

SECT. 69D revised, 1953, 562; repealed, 1957, 459 § 1.

SECTS. 69E-69I added, under caption, 1954, 522 (relative to admissions to and charges at the Lemuel Shattuck Hospital).

SECT. 69E revised, 1957, 459 § 2; 1958, 357; 1959, 494.

SECT. 69H revised, 1957, 459 § 3.

SECT. 69I, last sentence revised, 1957, 459 § 4.

SECT. 69J added, 1956, 497 (authorizing the department of public health to make contracts for the operation of concessions in Lemuel Shattuck Hospital); amended, 1958, 268.

SECT. 70 amended, 1941, 194 § 5, 389 § 1; 1945, 291; first sentence revised, 1956, 203; section revised, 1957, 604.

SECTS. 70A-70D added, 1959, 624 § 1 (creating a lien in favor of hospitals for services rendered to persons injured as a result of certain accidents). (See 1959, 624 § 2.)

SECTS. 71-73 stricken out and sections 71-72A and 73 inserted, 1941, 661 § 1. (See 1941, 661 § 2.)

SECTS. 71-72A and 73 stricken out and new sections 71-72A and 73 inserted, 1952, 602 § 9. (See 1952, 602 § 18.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to sections 71-72A and 73 as so inserted:

SECT. 71, sentence inserted after first sentence, 1956, 70; fifth sentence stricken out and three sentences inserted, 1955, 662 § 8; eighth sentence

revised, 1955, 662 § 7; tenth sentence revised, 1954, 538 § 3; section revised, 1957, 545 § 1.

SECT. 71A added, 1955, 449 (to require hospitals to determine blood type of patients).

SECT. 71B added, 1955, 662 § 9 (providing for an appeal in certain cases of refusal to grant licenses to maintain certain homes for the aged).

SECT. 72, paragraph added at end, 1956, 439; section amended, 1957, 545 § 2.

SECT. 72A amended, 1957, 545 § 3.

SECT. 73 amended, 1957, 545 § 4.

SECT. 74 amended, 1941, 72.

SECT. 76 revised, 1951, 562 § 3; 1952, 270 § 3. (See 1951, 562 § 11; 1952, 270 § 10.)

SECT. 77 revised, 1951, 562 § 4; 1952, 270 § 4; 1959, 413. (See 1951, 562 § 11; 1952, 270 § 10.)

SECTS. 78-90 affected (as to district of Chelsea, Revere and Winthrop), 1934, 78.

SECT. 78 revised, 1946, 310 § 1; 1951, 562 § 5; 1952, 270 § 5. (See 1945, 505; 1951, 562 § 11; 1952, 270 § 10.)

SECT. 78A added, 1959, 529 (providing that county tuberculosis hospitals may under certain conditions admit persons suffering with chronic diseases as patients).

SECT. 79 revised, 1936, 343; first paragraph amended, 1954, 538 § 4.

SECT. 80 revised, 1951, 562 § 6; 1952, 270 § 6. (See 1951, 562 § 11; 1952, 270 § 10.)

SECT. 83A added, 1933, 318 § 6 (relative to the indemnification or protection of officers and employees of tuberculosis hospital districts in connection with actions for personal injuries arising out of the operation of vehicles owned by such districts); amended, 1934, 291 § 5; revised, 1955, 316 § 2. (See 1933, 318 § 9; 1934, 291 § 6.)

SECT. 85, first sentence revised, 1943, 414 § 1; section revised, 1943, 500 § 1; 1951, 562 § 7; 1952, 270 § 7. (See 1943, 500 § 3; 1951, 562 § 11; 1952, 270 § 10.)

SECT. 85A revised, 1932, 65; paragraph added at end, 1959, 223.

SECT. 87 amended, 1945, 398 § 1.

SECT. 87A added, 1945, 398 § 2 (providing that trustees of Bristol county tuberculosis hospital shall be appointed by the governor). (See 1945, 398 §§ 4, 5.)

SECT. 88 revised, 1943, 500 § 2; 1946, 310 § 2; 1951, 562 § 8; 1952, 270 § 8. (See 1943, 500 § 3; 1951, 562 § 11; 1952, 270 § 10.)

SECT. 88A added, 1943, 500 § 2 (relative to charges for the support of patients in county tuberculosis hospitals); revised, 1946, 310 § 3; repealed, 1951, 562 § 9. (See 1943, 500 § 3; 1951, 562 § 11.)

SECT. 88B added, 1952, 270 § 9 (providing for admission of persons afflicted with pulmonary tuberculosis to certain hospitals in cases of emergency). (See 1952, 270 § 10.)

SECT. 91 amended, 1954, 538 § 5; paragraph added at end, 1955, 559 § 1.

SECTS. 91A and 91B added, 1954, 538 § 6 (relative to the conversion of certain tuberculosis hospitals or facilities into homes for the care and treatment of aging persons).

SECT. 91C added, 1959, 462 (enabling the use of certain facilities for the care of diseases of the chest).

SECT. 92 revised, 1955, 559 § 2.

SECTS. 94A-94H added, 1956, 615 § 1 (relative to hospitalization of certain tuberculosis patients and to the establishment of a state sanatorium treatment center for such patients). (See 1956, 615 § 2.)

SECT. 96 revised, 1938, 265 § 8.

SECT. 96A added, 1938, 265 § 9 (regulating the transportation to another town of a person infected with a disease dangerous to public health).

SECT. 97 revised, 1938, 265 § 10.

SECT. 104 revised, 1938, 265 § 11.

SECT. 107 revised, 1938, 265 § 12.

SECT. 109 revised, 1938, 265 § 13.

SECT. 109A added, 1936, 115 (relative to the treatment of infants' eyes at time of birth); amended, 1943, 46.

SECT. 110, second sentence amended, 1932, 180 § 17.

SECT. 111 revised, 1938, 265 § 14; second paragraph revised, 1948, 129 § 2.

SECT. 112 amended, 1938, 265 § 15.

SECT. 113 revised, 1938, 265 § 16.

SECT. 116, sentence in lines 24-32 amended, 1943, 275 § 1.

SECT. 116A added, under caption, 1937, 393 (providing for the hospitalization of patients with chronic rheumatism).

SECT. 117 revised, 1935, 155; 1937, 391; amended, 1948, 129 § 3; paragraph added at end, 1954, 44.

SECT. 118 amended, 1933, 44; 1948, 129 § 4.

SECT. 119 amended, 1948, 129 § 5.

SECT. 120 repealed, 1948, 120.

SECT. 121 revised, 1945, 555; first two sentences revised, 1948, 129 § 6.

SECT. 121A added, 1939, 407 (requiring a serological test for syphilis of pregnant women).

SECT. 122A added, 1947, 148 (increasing the powers of boards of health with respect to the supplying of water for domestic purposes in places of habitation and in places where the public is furnished food or drink).

SECT. 124, first sentence revised, 1949, 280.

SECT. 125A added, 1958, 469 (providing for the right of appeal from an order of a board of health which adjudges the operation of a farm to be a nuisance).

SECT. 127 revised, 1937, 339.

SECT. 128, two paragraphs added at end, 1943, 468; first of said paragraphs amended, 1947, 631 § 2; paragraph inserted after same paragraph, 1947, 631 § 2; section repealed, 1954, 209 § 1.

SECT. 128A added, 1949, 156 § 1 (relative to the filling and levelling of sites of demolished or removed buildings).

SECTS. 128B-128E added, 1954, 209 § 2 (establishing minimum housing standards and defining the powers of local boards of health relative to dwelling places).

SECT. 128D, last sentence stricken out, 1954, 447 § 1.

SECT. 128F added, 1954, 447 § 2 (providing penalties for violations of the law establishing minimum housing standards and rules and regulations relative thereto).

SECT. 141 revised, 1937, 278.

SECT. 142A added, 1954, 672 § 3 (relative to the control of atmospheric pollution); revised, 1959, 422. (See 1954, 672 §§ 2, 5, 6.)

SECT. 143 revised, 1933, 269 § 2; 1948, 480 § 1; amended, 1956, 275 § 1.

SECT. 147 amended, 1948, 480 § 2.

SECT. 150A added, 1955, 310 § 1 (concerning the assignment of places for public and private dumps). (See 1955, 310 §§ 2, 3.)

SECT. 151 amended, 1943, 332 § 9; revised, 1956, 275 § 2.

SECT. 154 amended, 1934, 340 § 9. (See 1934, 340 § 18.)

SECT. 159 amended, 1951, 448 § 2.

SECT. 160 amended, 1951, 448 § 3.

SECT. 162 amended, 1951, 448 § 4.

SECT. 163 amended, 1951, 448 § 5.

SECT. 173A added, 1938, 293 (extending the jurisdiction of certain police officers employed to protect public sources of water supply from pollution).

SECT. 173B added, 1943, 84 (authorizing water commissioners and others to enter premises within the watersheds of certain sources of supply).

SECT. 175 revised, 1941, 353.

SECTS. 176-180 repealed, 1938, 265 § 17.

SECT. 184A added, 1939, 344 (authorizing the state department of public health to issue certificates of approval relative to bacteriological laboratories); second paragraph amended, 1946, 155 § 1; paragraph added at end, 1946, 155 § 2.

SECT. 184B added, 1950, 431 (restricting the establishment and maintenance of blood banks).

SECT. 185A added, 1945, 543 § 2 (relative to the furnishing of certain material for use in determining and recording the physical condition of school children).

SECT. 186A added, 1958, 79 § 2 (regulating the use of shoe-fitting machines employing fluoroscopic, X-ray or radiation principles).

Chapter 112. — Registration of Certain Professions and Occupations.

SECT. 2, second sentence revised, 1933, 171 § 1; 1936, 247 § 1; three paragraphs added at end of section, 1936, 247 § 2; section amended, 1938, 210; paragraph added at end, 1939, 415 § 1; section revised, 1939, 451 § 37; amended, 1941, 722 § 9; second sentence stricken out and four sentences inserted, 1945, 396 § 1; sentence inserted after second sentence, 1955, 622; revised, 1957, 329; third sentence (as appearing in 1945, 396 § 1) amended, 1952, 585 § 21; fourth sentence (as appearing in 1945, 396 § 1) revised, 1954, 519 § 1; fifth and sixth sentences (as appearing in 1939, 451 § 37) revised, 1948, 28; third paragraph revised, 1945, 396 § 2; paragraph inserted after fourth paragraph, 1948, 413; paragraph added at end, 1946, 365; section revised, 1959, 344 § 1. Affected, 1938, 259; 1948, 221. (See 1933, 171 § 2; 1936, 247 §§ 3-6; 1939, 415 §§ 3, 4; 1959, 344 § 3.)

SECT. 2A amended, 1945, 396 § 3; 1954, 519 § 2; 1959, 344 § 2. (See 1959, 344 § 3.)

SECT. 2B added, 1955, 759 § 1 (relative to schools for the training of medical laboratory technologists). (See 1955, 759 § 2.)

SECT. 2C added, 1957, 655 § 1 (requiring schools for the training of medical X-ray technicians to be approved by the board of registration in medicine). (See 1957, 655 § 2.)

- SECT. 5 revised, 1937, 425 § 12. (See 1937, 425 § 15.)
- SECT. 8 revised, 1948, 550 § 18.
- SECT. 9 revised, 1933, 152; 1945, 186; amended, 1955, 526.
- SECT. 12 amended, 1948, 129 § 7.
- SECT. 12A amended, 1943, 41.
- SECT. 13 amended, 1937, 425 § 2; revised, 1956, 344. (See 1937, 425 § 15.)
- SECT. 14 amended, 1937, 425 § 3. (See 1937, 425 § 15.)
- SECT. 15 amended, 1937, 425 § 4. (See 1937, 425 § 15.)
- SECT. 16 revised, 1937, 425 § 5; 1948, 557; 1950, 363 § 1; first paragraph amended, 1955, 676 § 1; fourth paragraph amended, 1952, 585 § 22. (See 1937, 425 § 15; 1950, 363 § 2; 1951, 767; 1955, 676 §§ 2, 3.)
- SECT. 17 revised, 1937, 425 § 6. (See 1937, 425 § 15.)
- SECT. 17A added, 1937, 425 § 7 [defining certain duties of the board of registration in chiropody (podiatry)]. (See 1937, 425 § 15.)
- SECT. 18 amended, 1937, 425 § 8. (See 1937, 425 § 15.)
- SECT. 19 amended, 1937, 425 § 9; revised, 1951, 105. (See 1937, 425 § 15.)
- SECT. 20 amended, 1937, 425 § 10. (See 1937, 425 § 15.)
- SECT. 21 amended, 1937, 425 § 11; revised, 1948, 550 § 19. (See 1937, 425 § 15.)
- SECT. 23 repealed, 1937, 425 § 13. (See 1937, 425 § 15.)
- SECTS. 23A-23P added, under caption, 1951, 656 § 1 (relative to the practice of physical therapy by registered physical therapists). (See 1951, 656 § 2.)
- SECT. 23G, first sentence revised, 1955, 493 § 1. (See 1955, 493 § 3.)
- SECT. 23I, fourth sentence revised, 1955, 493 § 2. (See 1955, 493 § 3.)
- SECTS. 23A-23P stricken out and sections 23A-23Q inserted, 1958, 585 § 1. (See 1958, 585 §§ 2-4.)
- SECT. 24 amended, 1932, 227; 1933, 126; 1937, 343 § 1; revised, 1941, 52 § 1; amended, 1945, 502 § 1; 1952, 585 § 23; revised, 1957, 463. (See 1941, 52 § 2; 1943, 165; 1945, 502 §§ 2, 4.) Temporarily affected, 1948, 631; 1952, 361.
- SECT. 24A added, 1945, 502 § 3 (relative to registrations and renewal of registrations as pharmacists and assistant pharmacists); revised, 1955, 429; 1956, 575. (See 1945, 502 § 4.)
- SECT. 24B added, 1946, 194 (relative to standards for schools and colleges of pharmacy); revised, 1947, 503.
- SECT. 27 revised, 1934, 328 § 2; amended, 1937, 343 § 2.
- SECT. 30 amended, 1937, 343 § 3.
- SECT. 32 amended, 1934, 328 § 3.
- SECT. 34 amended, 1934, 328 § 4.
- SECT. 35 amended, 1934, 328 § 5; 1935, 306; 1937, 343 § 4; revised, 1948, 539 § 1.
- SECT. 36 revised, 1934, 328 § 6.
- SECTS. 36A-36D added, under caption, 1948, 539 § 2 (relative to the licensing of persons engaged in the sale, distribution or delivery, at wholesale, of drugs and medicines).
- SECT. 38 revised, 1934, 236.
- SECT. 39 amended, 1939, 138; 1951, 410; 1953, 281.
- SECT. 40 amended, 1934, 328 § 6A; 1937, 343 § 5.
- SECT. 42A added, 1937, 343 § 6 (relative to the retail drug business and pharmacy).

SECTS. 43-53 temporarily affected, 1949, 473. (See 1950, 667.)

SECT. 45, second sentence amended, 1932, 180 § 18; paragraph added at end, 1939, 415 § 2; section revised, 1949, 564 § 1. (See 1939, 415 § 3; 1948, 221.)

SECT. 45A amended, 1949, 564 § 2.

SECT. 46, clause Third amended, 1934, 108.

SECT. 49 revised, 1948, 270.

SECT. 50 amended, 1935, 344; revised, 1949, 333; 1954, 408 § 1.

SECT. 51 revised, 1949, 576.

SECT. 52 revised, 1948, 123; 1952, 117.

SECTS. 52A and 52B added, 1934, 281 (relative to methods and practices of dentists and dental hygienists).

SECT. 52A revised, 1937, 253; 1954, 408 § 2.

SECT. 52C added, 1954, 408 § 3 (restricting advertising by dental technicians).

SECT. 53 amended, 1949, 564 § 3.

SECT. 54 revised, 1958, 533 § 3.

SECT. 55 amended, 1937, 66; revised, 1939, 251 § 1; first paragraph amended, 1945, 724; 1952, 585 § 24; stricken out and two paragraphs inserted, 1957, 492; same two paragraphs stricken out and one paragraph inserted, 1958, 533 § 4; paragraph inserted, 1951, 433 § 1. (See 1939, 251 §§ 2, 3, 4; 1945, 711; 1951, 433 § 2; 1952, 585 §§ 25, 26.)

SECT. 56 revised, 1958, 533 § 5.

SECT. 59 revised, 1948, 224; 1958, 533 § 6.

SECTS. 60A-60J added under caption "REGISTRATION OF ARCHITECTS", 1941, 696 § 2. (See 1941, 696 §§ 3, 4.)

SECT. 60A, preliminary paragraph amended, 1945, 265 § 2; definition of "Practice of Architecture" revised, 1957, 679 § 1. (See 1957, 679 §§ 4, 5.)

SECT. 60B, second paragraph revised, 1953, 558 § 1.

SECT. 60C, clause (c) revised, 1943, 167.

SECT. 60D revised, 1953, 558 § 2. (See 1953, 558 § 4.)

SECT. 60E, paragraph added at end, 1953, 558 § 3.

SECT. 60F revised, 1957, 679 § 2. (See 1957, 679 §§ 4, 5.)

SECTS. 60K-60M added, 1945, 265 § 1 (further regulating the practice of architecture); stricken out and sections 60K-60O inserted, 1957, 679 § 3. (See 1957, 679 §§ 4, 5.)

SECT. 64 amended, 1954, 681 § 9. (See 1954, 681 §§ 20, 22.)

SECTS. 66-73 stricken out, and new sections 66-73 inserted, 1934, 339 § 2.

SECT. 69 revised, 1949, 463.

SECT. 70 revised, 1948, 550 § 20.

SECT. 72 amended, 1938, 434 § 1. (See 1938, 434 § 4.)

SECT. 73 amended, 1938, 434 § 2. (See 1938, 434 § 4.)

SECT. 73A added, 1937, 287 § 1 (regulating advertising in connection with the sale of eyeglasses, lenses or eyeglass frames). (See 1937, 287 § 2.)

SECT. 73B added, 1938, 434 § 3 (further regulating optometrists with respect to premises where practice may be carried on and to the sharing of their fees). (See 1938, 434 § 4.)

SECTS. 73C-73L added, under caption, 1955, 688 § 2 (relative to registering and licensing dispensing opticians).

SECT. 73G amended, 1956, 164.

SECTS. 74-81 stricken out, and new sections 74-81C added, 1941, 620 § 3. (See 1941, 620 §§ 1, 4-12.)

SECT. 74, third sentence amended, 1948, 108; 1953, 350 § 4; section revised, 1959, 415 § 1. (See 1959, 415 § 5.)

SECT. 74A, third sentence amended, 1951, 87; section revised, 1953, 350 § 5; 1959, 415 § 2. Affected, 1956, 371; 1957, 539, 595 §§ 6, 7. (See 1953, 350 §§ 13, 14; 1959, 415 § 5.)

SECT. 74B revised, 1953, 350 § 6.

SECT. 75 revised, 1953, 350 § 7.

SECT. 76 revised, 1953, 350 § 8.

SECT. 77 amended, 1957, 595 § 1. (See 1957, 595 § 8.)

SECT. 80 revised, 1957, 595 § 2. (See 1957, 595 § 8.)

SECT. 80A revised, 1953, 350 § 9; 1957, 595 § 3. (See 1957, 595 §§ 7, 8; 1958, 354 §§ 1-4.)

SECT. 80B added, 1957, 595 § 4 (defining "Professional Nursing"). (See 1957, 595 § 8.)

SECT. 81 revised, 1953, 350 § 10; 1957, 595 § 5. (See 1957, 595 §§ 6, 7, 8; 1958, 354 §§ 1-4.)

SECT. 81A revised, 1953, 350 § 11.

SECT. 81B revised, 1953, 350 § 12.

SECTS. 81A-81Q inserted under caption "REGISTRATION OF PROFESSIONAL ENGINEERS AND OF LAND SURVEYORS", 1941, 643 § 2. (See 1941, 643 §§ 3-5.)

SECT. 81A, as so inserted, amended and renumbered 81D, 1941, 722 § 9A.

SECT. 81D revised, 1958, 584 § 2.

SECT. 81L amended, 1941, 722 § 9B.

SECTS. 81B-81Q, inclusive, inserted by 1941, 643 § 2, renumbered 81E-81T, inclusive, 1941, 722 § 9C.

SECT. 81E revised, 1958, 584 § 3.

SECT. 81J revised, 1958, 584 § 4. (See 1958, 584 §§ 11-13.)

SECT. 81K revised, 1958, 584 § 5.

SECT. 81L, paragraph inserted after first paragraph, 1958, 584 § 6.

SECT. 81M revised, 1958, 584 § 7. (See 1958, 584 §§ 11-13.)

SECT. 81P, paragraph inserted after second paragraph, 1958, 584 § 8.

SECT. 81R revised, 1958, 584 § 9.

SECT. 81T revised, 1958, 584 § 10. (See 1958, 584 §§ 11-13.)

SECTS. 82-87, and caption before said section 82, stricken out, and new sections 82-87 inserted, under caption "REGISTRATION OF EMBALMERS AND FUNERAL DIRECTORS", 1936, 407 § 3. (See 1936, 407 §§ 5-8.)

SECT. 82, definition of "Apprentice" inserted, 1945, 596 § 1; definition of "Funeral directing", revised, 1939, 160 § 1.

SECT. 83, third paragraph amended, 1939, 160 § 4; section revised, 1945, 596 § 2; 1948, 491.

SECT. 85 amended, 1941, 232.

SECT. 87 amended, 1937, 13; 1939, 160 § 2.

SECTS. 82-87 stricken out and sections 82-84, 84A, 85-87 inserted, 1954, 653 § 2. (See 1954, 653 §§ 3, 5, 6, 7.)

SECT. 83, seventh paragraph revised, 1956, 295.

SECT. 85A added, 1958, 528 (authorizing the board of registration in embalming and funeral directing to enter into reciprocal agreements with other states).

SECT. 87B amended, 1953, 510 § 2.

SECTS. 87F-87S. See 1937, 184.

SECT. 87F, paragraph contained in lines 4-9 revised, 1934, 260 § 1; "Instructor" and "Apprentice" defined, 1948, 579 § 1.

SECT. 87H, four sentences added at end, 1934, 260 § 2; section amended, 1936, 314 § 1; second paragraph amended, 1937, 94; same paragraph revised, 1941, 619 § 1; 1950, 319; amended, 1954, 355; section revised, 1958, 295. (See 1941, 619 § 2.)

SECT. 87I amended, 1936, 314 § 2; revised, 1948, 579 § 2; sixth and seventh sentences stricken out and four sentences inserted, 1958, 292.

SECT. 87K, paragraph added at end, 1936, 314 § 3.

SECT. 87M amended, 1936, 314 § 4.

SECT. 87O amended, 1933, 149 § 2. (See 1933, 149 § 3.)

SECT. 87P amended, 1934, 260 § 3; sentence inserted after second sentence, 1958, 287; two sentences added at end, 1950, 61; paragraph added at end, 1950, 440 § 1. (See 1950, 440 § 2.)

SECT. 87R amended, 1936, 314 § 5.

SECT. 87S, sentence added at end, 1952, 362.

SECTS. 87T-87JJ added, under caption "REGISTRATION OF HAIRDRESSERS", 1935, 428 § 2. (See 1935, 428 §§ 6, 7.)

SECT. 87T, definition of "Apprentice" stricken out and definition of "Instructor" added, 1941, 626 § 1; definition of "shop" revised, 1941, 626 § 2; section revised, 1943, 565 § 1.

SECT. 87U amended, 1937, 385 § 2; revised, 1941, 626 § 3; amended, 1949, 345; 1958, 85.

SECT. 87V amended, 1937, 385 § 3; revised, 1941, 626 § 4; 1943, 565 § 2; 1950, 540 § 1; second sentence revised, 1957, 503 § 1. (See 1950, 540 § 3; 1953, 307; 1957, 503 § 3.)

SECT. 87W amended, 1937, 385 § 4; revised, 1941, 626 § 5; 1943, 565 § 3; first paragraph revised, 1950, 540 § 2; 1959, 343; sentence added at end of second paragraph, 1946, 550 § 2; 1951, 253. (See 1950, 540 § 3; 1953, 307.)

SECT. 87X revised, 1941, 626 § 6; 1943, 565 § 4; 1951, 273.

SECT. 87Y revised, 1949, 579.

SECT. 87Z amended, 1937, 385 § 5; revised, 1943, 565 § 5; paragraph added at end, 1953, 274; revised, 1955, 435; paragraph added at end, 1955, 333.

SECT. 87AA revised, 1941, 626 § 7; 1943, 565 § 6; paragraph added at end, 1953, 537 § 1.

SECT. 87BB amended, 1937, 385 § 6; revised, 1943, 565 § 7.

SECT. 87CC revised, 1941, 626 § 8; 1943, 565 § 8; schedule revised, 1951, 427; sentence added, 1953, 537 § 2; schedule revised, 1954, 501; amended, 1959, 388 § 1; first paragraph amended, 1948, 347.

SECT. 87DD revised, 1943, 565 § 9.

SECT. 87EE revised, 1937, 385 § 7.

SECT. 87GG revised, 1941, 626 § 9; 1943, 565 § 10; third sentence stricken out and two sentences inserted, 1953, 291; same sentences stricken out and four sentences inserted, 1955, 434; sentences added at end, 1946, 550 § 3.

SECT. 87II amended, 1937, 385 § 8; revised, 1941, 626 § 10; 1943, 565 § 11.

SECT. 87JJ revised, 1941, 626 § 11; 1943, 565 § 12.

SECT. 87KK added, 1951, 509 (relative to notification of examination dates to applicants for registration); amended, 1955, 193; two sentences added at end, 1957, 503 § 2.

SECTS. 87LL-87OO added, under caption, 1957, 673 § 2 (relative to the registration of sanitarians). (See 1957, 673 § 3.)

SECTS. 87PP-87DDD added, under caption, 1957, 726 § 2 (relative to the registration of real estate brokers and salesmen). (See 1957, 726 §§ 3, 5, 7.)

SECT. 87ZZ, paragraph (*d*) revised, 1959, 455.

SECTS. 87EEE-87OOO added, under caption, 1958, 625 § 2 (regulating the practice of electrolysis). (See 1958, 625 §§ 3, 5.)

SECT. 88, clause (3) amended, 1941, 626 § 13; 1956, 410.

Chapter 113. — Promotion of Anatomical Science.

SECT. 1 amended, 1941, 351 § 7; 1958, 613 § 2E.

SECT. 2 revised, 1954, 627 § 25. (See 1954, 627 §§ 65, 67.)

Chapter 114. — Cemeteries and Burials.

SECT. 1 amended, 1936, 319 § 1. (See 1936, 319 § 7.)

SECT. 5A added, 1959, 256 § 2 (further regulating cemetery corporations).

SECT. 6 amended, 1936, 319 § 2. (See 1936, 319 § 7.)

SECT. 7 revised, 1936, 319 § 3. (See 1936, 319 § 7.)

SECT. 8 revised, 1936, 319 § 4. (See 1936, 319 § 7.)

SECT. 9 amended, 1936, 319 § 5. (See 1936, 319 § 7.)

SECT. 19 revised, 1948, 550 § 48. (See 1948, 550 § 51.)

SECT. 20, sentence added at end, 1948, 550 § 49. (See 1948, 550 § 51.)

SECT. 24 revised, 1948, 550 § 50. (See 1948, 550 § 51.)

SECT. 25 amended, 1934, 85 § 1. (See 1934, 85 § 2.)

SECTS. 43A-43N added, under caption, 1936, 319 § 6 (relative to the ownership, maintenance and operation of cemeteries and crematories and to the disposal of dead human bodies). (See 1936, 319 § 7.)

SECT. 43O added, 1948, 497 (prohibiting the sale of monuments for cemetery lots by certain corporations).

SECT. 45 amended, 1954, 627 § 26. (See 1954, 627 §§ 65, 67.)

SECT. 45A added, 1954, 438 (relative to the use of the name of funeral directors in connection with death certificates or burial permits).

SECT. 46 amended, 1954, 627 § 27; revised, 1958, 465. (See 1954, 627 §§ 65, 67.)

SECT. 46A added, 1949, 604 (relative to permits for the burial or other disposition of the bodies of deceased veterans); sentence added at end, 1957, 86.

SECT. 47 amended, 1954, 627 § 28. (See 1954, 627 §§ 65, 67.)

SECT. 49 revised, 1936, 407 § 4; last paragraph amended, 1939, 160 § 3. (See 1936, 407 §§ 5-8.)

SECT. 51 added, under caption "EMBALMING FLUIDS", 1955, 472; amended, 1958, 148.

Chapter 115. — Veterans' Benefits (former title, State and Military Aid, Soldiers' Relief, etc.).

For legislation providing for payments for the benefit of certain soldiers and sailors, see 1942, 11; 1943, 211; 1945, 366; 1946, 584; 1948, 549; 1954, 627 §§ 39, 65, 67, 688; 1955, 708; 1957, 744.

Chapter stricken out, and new chapter 115 (with new title) inserted, 1946, 584 § 1. (See 1946, 584 §§ 2, 21, 22.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to chapter 115 as so inserted:

SECT. 1, paragraph 6 revised, 1948, 510; paragraph 7 added, 1947, 444; paragraph inserted, 1951, 526 § 2; definition of "Veteran" revised, 1951, 590 § 1; paragraph added at end, 1951, 590 § 2; section revised, 1954, 627 § 35; definition of "Veteran" amended, 1954, 688 § 4; 1956, 692 § 1. (See 1951, 590 §§ 7, 8; 1954, 627 §§ 38, 65, 67.)

SECT. 1A added, 1954, 627 § 36 (relative to the requirements for hospital benefits available to veterans); repealed, 1956, 692 § 2. (See 1954, 627 §§ 65, 67.)

SECT. 2, second and third paragraphs revised, 1951, 590 § 3; third paragraph amended, 1957, 749; seventh paragraph revised, 1948, 535 § 1; 1956, 395 § 1; amended, 1957, 158; eighth paragraph amended, 1952, 597; last paragraph stricken out and two paragraphs inserted, 1951, 546. (See 1951, 590 §§ 7, 8; 1954, 627 §§ 38, 65, 67.)

SECT. 3A added, 1948, 96 § 1 (providing for the use of photostatic copies of discharge papers of veterans in certain cases). (See 1947, 96 § 2.)

SECT. 5 revised, 1948, 535 § 2; first paragraph revised, 1950, 493 § 1; 1951, 590 § 4; amended, 1955, 305 § 1; second paragraph revised, 1951, 590 § 4; amended, 1955, 305 § 2; third paragraph amended, 1955, 305 § 3; revised, 1956, 394; fourth paragraph amended, 1954, 493; last paragraph revised, 1949, 599; paragraph added at end, 1951, 753 § 1. (See 1951, 590 §§ 7, 8; 1954, 627 §§ 38, 65, 67.)

SECT. 5A added, 1958, 487 (creating a lien upon the real estate of certain recipients of veterans' benefits).

SECTS. 6A-6C added, under caption, 1949, 660 (providing for payment of annuities to certain paraplegic veterans).

SECT. 6A revised, 1954, 627 § 37. (See 1954, 627 §§ 65, 67.)

SECT. 6B revised, 1953, 530; 1956, 567 § 1.

SECT. 6C amended, 1956, 567 § 2.

SECT. 7, first sentence revised, 1948, 535 § 3; sentence added at end, 1949, 500.

SECT. 8, last sentence revised, 1948, 535 § 4; section revised, 1948, 648; first two sentences revised, 1956, 395 § 2; sentence added at end, 1951, 590 § 5. (See 1951, 590 §§ 7, 8; 1954, 627 §§ 38, 65, 67.)

SECT. 9 revised, 1957, 143.

SECTS. 10-14 added, under caption, 1946, 599 § 1 (relative to local departments of veterans' services). (See 1946, 599 §§ 2, 3; 1947, 1.)

SECT. 10, second paragraph revised, 1948, 229.

SECT. 11 amended, 1956, 104.

SECT. 15 added, 1948, 415 (providing for audit of accounts of districts formed to establish departments of veterans' services).

Chapter 115A. — Soldiers' Homes.

New chapter inserted, 1954, 627 § 42. (See 1954, 627 §§ 65, 67.)

SECT. 6 added, 1959, 236 § 1 (regarding the disposition of certain unclaimed funds of former patients or members of the Soldiers' Homes).

Chapter 116. — Settlement.

SECT. 1, clause Fifth amended, 1943, 455 § 13; revised, 1951, 590 § 6; amended, 1954, 627 §§ 45, 46; 1955, 403 § 5; revised, 1955, 740 § 1. (See 1951, 590 §§ 7, 8; 1954, 627 §§ 65, 67; 1955, 403 § 14, 740 § 2.)

SECT. 2 revised, 1933, 213; amended, 1943, 379; 1946, 584 § 4; first sentence revised, 1955, 740 § 3. (See 1946, 584 § 22; 1955, 740 § 2.)

SECT. 4 revised, 1946, 584 § 5; 1950, 493 § 2. (See 1946, 584 § 22.)

SECT. 5 amended, 1943, 455 § 14; revised, 1946, 584 § 6; amended, 1948, 624 § 1. (See 1946, 584 § 22; 1948, 624 § 2.)

Chapter 117. — Support by Cities and Towns.

SECT. 1 amended, 1934, 124.

SECT. 2, paragraph added at end, 1954, 516.

SECT. 2A added, 1933, 181 (authorizing local boards of public welfare to aid needy persons in the cultivation of vegetable gardens).

SECT. 3A added, 1937, 277 (protecting needy persons from the public view while applying for public relief and support).

SECT. 3B added, 1939, 127 (prohibiting local boards of public welfare from making the institution of ejectment proceedings prerequisite to the payment by them of rent owed for dwellings by certain persons on welfare relief).

SECT. 5 amended, 1937, 125; revised, 1948, 581 § 1; paragraph added at end, 1958, 395.

SECT. 6 revised, 1936, 108.

SECT. 6A added, 1938, 211 (preventing discrimination against certain persons with respect to the payment of welfare relief).

SECT. 7 amended, 1950, 485 § 1; revised, 1956, 156.

SECT. 13, new sentence added at end, 1941, 608.

SECT. 14 revised, 1937, 113; amended, 1938, 275; 1939, 39 § 1. (See 1939, 39 § 2.)

SECT. 16 repealed, 1936, 328.

SECT. 17 amended, 1939, 370; 1941, 351 § 8; sentence inserted after second sentence, 1956, 40; last sentence revised, 1945, 668 § 2. (See 1939, 454 § 21.)

SECT. 18 amended, 1934, 45; 1938, 425; revised, 1941, 351 § 9; first sentence revised, 1954, 394; second sentence revised, 1958, 613 § 3. (See 1939, 454 § 21.)

SECT. 18A added, 1938, 465 (relative to the payment by cities and towns of the expense of the funeral and burial of certain poor and indigent persons); paragraph added at end, 1945, 668 § 1.

SECT. 19, paragraph added at end, 1937, 86.

SECT. 21 amended, 1941, 196.

SECT. 24 revised, 1935, 164; sentence added at end, 1943, 481; section stricken out and sections 24 and 24A inserted, 1959, 584.

SECT. 30, first sentence revised, 1948, 581 § 2; section repealed, 1956, 317 § 2.

SECT. 33 revised, 1952, 411 § 1.

SECT. 34 repealed, 1952, 411 § 2.

SECT. 35 amended, 1932, 180 § 19; repealed, 1952, 411 § 2.

SECTS. 44-46 added, 1938, 476 (authorizing the establishment of public welfare districts in cities and towns).

SECT. 44, first sentence amended, 1952, 353 § 1; second sentence amended, 1950, 793 § 5; third sentence stricken out and two sentences inserted, 1956, 312; sentence inserted after fifth sentence, 1950, 293 § 1; sentence added at end, 1950, 793 § 6. (See 1952, 353 § 10.)

SECT. 44A added, 1953, 205 § 1 (relative to the auditing of welfare districts). (See 1953, 205 § 2.)

SECT. 45, sentence added at end, 1950, 293 § 2; section revised, 1952, 353 § 2. (See 1952, 353 § 10.)

Chapter 118. — Aid to Dependent Children (former title, Aid to Mothers with Dependent Children).

Chapter stricken out and new chapter 118 (with new title) inserted, 1936, 413 § 1. (See 1936, 413 § 2.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to chapter 118 as so inserted:

SECT. 1 amended, 1939, 487; revised, 1952, 463; 1957, 430.

SECT. 2 amended, 1941, 593 § 1; 1943, 97; 1945, 412; sentence inserted after fourth sentence, 1945, 532 § 1; section revised, 1946, 415; 1948, 418; first sentence revised, 1951, 390; amended, 1958, 349; 1959, 385; last five sentences stricken out and four sentences inserted, 1951, 525 § 1; third sentence revised, 1953, 325.

SECT. 2A added, 1945, 567 (relative to certain persons in families receiving aid under the law providing aid to dependent children).

SECT. 4A added, 1943, 117 (permitting recipients of aid to dependent children, so called, to leave the commonwealth without suspension of such aid); paragraph added at end, 1945, 458 § 1.

SECT. 5 revised, 1941, 593 § 2; two sentences added at end, 1949, 613 § 1; stricken out and one sentence inserted, 1953, 323.

SECT. 6 revised, 1941, 405; two sentences added at end, 1943, 491. (See 1939, 454 § 21.)

SECT. 7 revised, 1950, 657.

SECT. 8 revised, 1939, 248.

SECT. 9 amended, 1946, 584 § 7. (See 1946, 584 § 22.)

Chapter 118A. — Adequate Assistance to Certain Aged Citizens.

Chapter stricken out and new chapter 118A inserted, 1936, 436 § 1. (See 1936, 436 § 4.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to chapter 118A, as so inserted:

For legislation establishing a minimum weekly rate for the care of recipients of old age assistance who are inmates of boarding homes, see 1955, 603.

SECT. 1 amended, 1937, 440 § 1; last sentence amended, 1938, 274; section revised, 1941, 729 § 1; 1943, 489 § 1; third sentence amended, 1950, 519 § 1; fourth sentence amended, 1948, 433; last sentence of first paragraph amended, 1945, 683 § 1; first paragraph revised, 1950, 799; first sentence revised, 1956, 653; amended, 1951, 801 § 1; paragraph inserted after first paragraph, 1948, 638; paragraph inserted after second paragraph, 1949, 796 § 1; second and third paragraphs revised, 1951, 801 § 2; third paragraph amended, 1955, 728 § 1; paragraph added at end, 1943, 506; same paragraph revised, 1945, 532 § 2; 1950, 343; 1951, 525 § 2; amended, 1954, 525; paragraph inserted before said paragraph, 1945, 441; amended, 1956, 721; 1957, 464. (See 1941, 729 § 15; 1945, 683 § 4; 1949, 796 §§ 2, 3; 1951, 801 §§ 6, 7; 1955, 728 § 2.)

SECT. 1A added, 1950, 519 § 2 (authorizing old age assistance to persons being cared for under contract in certain homes for the aged); revised, 1954, 521.

SECTS. 1B and 1C added, 1951, 475 (extending the benefits of the old age assistance law to patients in public medical institutions).

SECT. 1B. See 1954, 469 § 2; revised, 1955, 367.

SECT. 1C amended, 1958, 613 § 3A.

SECT. 2 revised, 1937, 440 § 2; amended, 1941, 597 § 1; revised, 1941, 729 § 2; 1943, 489 § 2; 1945, 683 § 2. (See 1941, 729 § 15; 1945, 683 § 4.)

SECT. 2A added, 1941, 729 § 3 (relative to the liability of children to contribute to the support of aged parents); revised, 1943, 489 § 3; 1945, 683 § 3; paragraphs 1, 3 and 4 revised, 1951, 801 § 3; section revised, 1957, 614. (See 1941, 729 § 15; 1945, 683 § 4; 1951, 801 §§ 6, 7.)

SECT. 3 revised, 1937, 440 § 3; last sentence revised, 1938, 285; section revised, 1939, 481.

SECT. 4 amended, 1938, 467; 1941, 729 § 4; revised, 1943, 512; amended, 1950, 626; revised, 1951, 801 § 4; second paragraph amended, 1957, 304; 1956, 637. (See 1941, 729 §§ 14, 15; 1951, 801 §§ 4A, 4B, 6, 7.)

SECT. 4A added, 1941, 729 § 5 (making a recipient of old age assistance liable to repay the same in certain cases); revised, 1948, 581 § 3; sentence added at end, 1951, 801 § 5. (See 1941, 729 § 15; 1951, 801 §§ 4B, 6, 7.)

SECT. 5 revised, 1938, 408; amended, 1941, 729 § 6; revised, 1946, 460; amended, 1949, 486. (See 1941, 729 § 15.)

SECT. 5A added, 1949, 622 (increasing the amount of bank deposits allowable to applicants for old age assistance); revised, 1951, 536.

SECT. 6, see 1952, 621.

SECT. 6A added, 1937, 165 (permitting recipients of old age assistance, so called, to leave the commonwealth without suspension of such assistance); amended, 1941, 729 § 7; revised, 1943, 470; paragraph added at end, 1945, 458 § 2; 1949, 627. (See 1941, 729 § 15.)

SECT. 7 revised, 1951, 533.

SECT. 8 amended, 1941, 729 § 8; two sentences inserted after third sentence, 1943, 490; sentence added at end, 1951, 539; stricken out and four sentences inserted, 1953, 462 § 1. (See 1939, 454 § 21; 1941, 729 § 15; 1953, 462 § 2.)

SECT. 9 revised, 1945, 541 § 3; amended, 1946, 584 § 8. (See 1946, 584 § 22.)

SECT. 10 revised, 1941, 597 § 2; two sentences added at end, 1949, 613

§ 2; section revised, 1952, 602 § 10; amended, 1954, 340. (See 1952, 602 §§ 15-18.)

SECT. 11 added, 1941, 729 § 10 (establishing the old age assistance fund); amended, 1945, 684; revised, 1955, 540 § 1. (See 1941, 729 §§ 9, 9A, 15; 1955, 540 §§ 5-7.)

SECT. 12 added, 1953, 571 § 1 (relative to the appointment of guardians and conservators for certain applicants for public assistance).

Chapter 118B. — The Merit System in the Administration of Aid to Dependent Children and Old Age Assistance.

New chapter inserted, 1950, 793 § 7.

SECT. 2, first sentence revised, 1952, 353 § 3; amended, 1959, 141 § 2. (See 1952, 353 § 10.)

SECT. 3 amended, 1952, 353 § 4. (See 1952, 353 § 10.)

SECT. 5 amended, 1952, 353 § 5. (See 1952, 353 § 10.)

SECT. 6 amended, 1952, 353 § 6. (See 1952, 353 § 10.)

SECT. 8, paragraph added at end, 1956, 515.

SECT. 9 amended, 1952, 353 § 7. (See 1952, 353 § 10.)

SECT. 10 amended, 1952, 353 § 8. (See 1952, 353 § 10.)

Chapter 118C. — Coverage of Certain Employees under the Federal Social Security Act.

New chapter inserted, 1951, 658.

Chapter 118D. — Assistance to Persons who are Disabled.

New chapter inserted, 1951, 741 § 2. (See 1951, 741 §§ 1, 4.)

SECT. 3 amended, 1958, 613 § 3B.

SECT. 5, last sentence revised, 1953, 461.

SECT. 7 amended, 1957, 659 § 1.

SECT. 8, first sentence revised, 1957, 493; paragraph (a) amended, 1955, 492 § 1; paragraph (c) amended, 1955, 492 § 2; paragraph (d) amended, 1955, 492 § 3; paragraphs (a)-(g) stricken out and paragraphs 1-7 inserted, 1957, 659 § 2.

SECT. 15 amended, 1956, 602 § 12. (See 1956, 602 §§ 17-20.)

SECT. 20, first sentence revised, 1952, 353 § 9. (See 1952, 353 § 10.)

SECT. 21 added, 1953, 571 § 2 (relative to the appointment of guardians and conservators for certain applicants for public assistance).

Chapter 119. — Protection and Care of Children, and Proceedings against Them.

Sects. 1-51 stricken out and sections 1-39 inserted, 1954, 646 § 1.

For prior changes see Table of Changes contained in Acts and Resolves of 1954.

SECT. 23A added, 1958, 588 § 2 (providing for the care and custody of children born to inmates of the Massachusetts Correctional Institution at Framingham or whose mothers are committed thereto). (See 1958, 588 § 3.)

SECT. 52, definition of "Delinquent child" amended, 1948, 310 § 3.*

SECT. 55, last paragraph revised, 1949, 593 § 6; section revised, 1952, 605 § 3. (See 1952, 605 §§ 19-21.)

* See 1948, 310 §§ 30, 31.

SECT. 56 revised, 1943, 244 § 1.

SECT. 58, paragraph inserted after third paragraph, 1941, 264 § 1; section revised, 1948, 310 § 4*; paragraph added at end, 1948, 385.

SECT. 58A amended, 1941, 194 § 6; revised, 1941, 327; 1947, 616; repealed, 1948, 310 § 5.*

SECT. 58B added, 1957, 194 § 1 (providing for the imposition of non-criminal fines upon juveniles for violation of the motor vehicle laws). (See 1957, 194 § 2.)

SECT. 59, second paragraph stricken out, 1941, 648 § 1.

SECT. 60 stricken out and new sections 60 and 60A inserted, 1938, 174 § 1 (relative to the use of information and records in cases of waywardness or delinquency).

SECT. 60 amended, 1948, 310 § 6.*

SECT. 61 amended, 1948, 310 § 7.*

SECT. 63 revised, 1932, 95 § 1.

SECT. 64 revised, 1956, 731 § 2.

SECT. 65 amended, 1932, 95 § 2.

SECT. 66 revised, 1941, 648 § 2; 1943, 244 § 2.

SECT. 67 amended, 1941, 648 § 3; revised, 1943, 244 § 2; 1955, 609 § 1.

SECT. 68 revised, 1943, 244 § 2; 1948, 310 § 8*; 1955, 609 § 2; amended, 1956, 269.

SECTS. 68A-68C added, 1955, 609 § 3 (relating to the detention of wayward and delinquent children and juvenile offenders).

SECT. 69 revised, 1943, 244 § 2.

SECT. 69A added, 1948, 310 § 9 (providing that courts and certain public officers and authorities shall make available to the youth service board information relative to cases committed to said board).*

SECT. 72 amended, 1947, 235; revised, 1948, 310 § 10*; amended, 1949, 595.

SECT. 73 revised, 1945, 202; amended, 1948, 310 § 11.*

SECT. 74 amended, 1933, 196 § 1; revised, 1948, 310 § 12.*

SECT. 75 amended, 1933, 196 § 2; revised, 1948, 310 § 13.*

SECT. 76 revised, 1948, 310 § 14.*

SECT. 77 revised, 1948, 310 § 15.*

SECT. 79 amended, 1948, 310 § 16*; 1953, 319 § 15. (See 1953, 319 §§ 39, 40.)

SECT. 80 revised, 1948, 310 § 17.*

SECT. 81 amended, 1948, 310 § 18.*

SECT. 82 amended, 1948, 310 § 19.*

SECT. 83 revised, 1948, 310 § 20.*

Chapter 120. — Youth Service Board and Massachusetts Training Schools (former title, Massachusetts Training Schools).

Chapter stricken out, and new chapter 120 (with new title) inserted, 1948, 310 § 22. (See 1948, 310 §§ 30, 31.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to chapter 120 as so inserted:

SECT. 1 revised, 1952, 605 § 4. (See 1952, 605 §§ 19-21.)

SECT. 2 revised, 1952, 605 § 5; amended, 1955, 770 § 4. (See 1952, 605 §§ 19-21; 1955, 770 §§ 117, 123.)

* See 1948, 310 §§ 30, 31.

- SECT. 3 revised, 1952, 605 § 6. (See 1952, 605 §§ 19-21.)
- SECT. 4 revised, 1952, 605 § 7. (See 1952, 605 §§ 19-21.)
- SECT. 4A added, 1952, 605 § 8 (establishing a division of youth service in the department of education). (See 1952, 605 §§ 15, 19-21.)
- SECT. 6, paragraph (*e*) revised, 1949, 593 § 1.
- SECT. 7 amended, 1952, 605 § 9. (See 1952, 605 §§ 15, 19-21.)
- SECT. 8, fourth and fifth sentences revised, 1952, 605 § 10. (See 1952, 605 §§ 15, 19-21.)
- SECT. 9 amended, 1952, 605 § 11. (See 1952, 605 §§ 15, 19-21.)
- SECT. 10, subsection (*a*) amended, 1950, 545; section revised, 1952, 605 § 12. (See 1952, 605 §§ 15, 19-21.)
- SECT. 10A repealed, 1949, 593 § 2.
- SECT. 11 revised, 1952, 605 § 13; amended, 1955, 766 § 5; 1957, 532. (See 1952, 605 §§ 15, 19-21.)
- SECT. 12 amended, 1949, 593 § 3; revised, 1952, 605 § 14. (See 1952, 605 §§ 15, 19-21.)
- SECT. 13 amended, 1949, 593 § 4.
- SECT. 13A added, 1953, 619 § 1 (relative to payments by the commonwealth for damages to property caused by acts of certain inmates of institutions under management of the Youth Service Board). (See 1953, 619 § 2.)
- SECT. 14 amended, 1954, 685 § 2.
- SECT. 22 amended, 1956, 731 § 3.

Chapter 121. — Powers and Duties of the Department of Public Welfare, and the Massachusetts Hospital School.

- SECT. 3 revised, 1952, 602 § 11.
- SECT. 4A added, 1941, 630 § 3 (relative to information concerning recipients of old age assistance and aid to dependent children); revised, 1945, 240 § 2.
- SECT. 6 amended, 1941, 351 § 11; 1948, 310 § 25; 1956, 436 § 1; repealed, 1958, 613 § 4. (See 1948, 310 §§ 30, 31.)
- SECT. 7 amended, 1941, 351 § 12; revised, 1941, 404; amended, 1948, 310 § 26; revised, 1952, 602 § 12; second sentence stricken out, 1958, 613 § 5. (See 1948, 310 §§ 30, 31.)
- SECT. 8A added, 1935, 311 § 2 (relative to funds received by the director of the division of aid and relief for the benefit of persons under the care and supervision of the department); revised, 1941, 523; amended, 1950, 162 § 4; revised, 1954, 126 § 4.
- SECT. 8B added, 1941, 618 (relative to the disposition of certain unclaimed moneys held by the division of child guardianship for the benefit of certain wards thereof).
- SECT. 9 amended, 1941, 351 § 13; last two sentences stricken out, 1956, 715 § 5; section revised, 1958, 613 § 6.
- SECT. 9A added, 1934, 167 (relative to the interstate transportation of poor and indigent persons); sentence added at end, 1945, 458 § 3.
- SECT. 10 repealed, 1958, 613 § 4.
- SECT. 11 repealed, 1958, 613 § 4.
- SECT. 12 amended, 1941, 351 § 14; repealed, 1958, 613 § 4.
- SECT. 13 amended, 1941, 351 § 15; repealed, 1958, 613 § 4.
- SECT. 15 amended, 1941, 351 § 16; repealed, 1948, 310 § 27. (See 1948, 310 §§ 30, 31.)

SECT. 22A repealed, 1948, 618 § 2. (See 1948, 618 § 3.)

SECT. 23 (and caption) amended, 1933, 364 § 2; section amended, 1935, 449 § 2; revised, 1935, 475 § 3. (See 1933, 364 § 8.)

SECT. 24 amended, 1933, 364 § 3. (See 1933, 364 § 8.)

SECT. 24A added, 1935, 449 § 2A (authorizing the acceptance and use by the state board of housing of grants of federal funds).

SECT. 24B added, 1935, 485 § 1 (authorizing the state board of housing to take land by eminent domain in order to aid or co-operate with the United States with respect to federal housing projects).

SECT. 25 revised, 1933, 364 § 4. (See 1933, 364 § 8.)

SECT. 26 amended, 1933, 364 § 5; revised, 1935, 475 § 4; amended, 1936, 211 § 6; 1947, 340 § 6; two paragraphs added at end, 1954, 643 § 2; same paragraphs stricken out, 1955, 654 § 1. (See 1933, 364 § 8; 1936, 211 § 7; 1955, 654 § 5.)

SECTS. 26A-26H added, 1933, 364 § 6 (relative to the powers and duties of the state board of housing, and to limited dividend corporations under its control). (See 1933, 364 § 8.)

SECT. 26H revised, 1935, 449 § 3.

SECTS. 26A-26H repealed, 1945, 654 § 2.

SECTS. 26I-26BB added, under caption, 1935, 449 § 5 (relative to the establishment, powers and duties, and discontinuance, of local housing authorities).

Sects. 26I-26BB stricken out and new sections 26I-26H inserted, 1938, 484 § 1 (to relate the Massachusetts Housing Authority Law to the United States Housing Act of 1937). (See 1938, 484 § 2; 1941, 269 § 2; 1941, 317.)

Sects. 26I-26H stricken out and new sections 26I-26NN inserted, 1946, 574 § 1. (See 1946, 574 § 2.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to sections 26I to 26NN as so inserted:

SECT. 26I amended, 1948, 200 § 1; 1952, 617 § 1; 1953, 668 § 2; revised, 1955, 654 § 2. (See 1955, 654 § 5.)

SECT. 26J amended, 1953, 668 § 3; 1955, 654 § 3; definition of "Housing authority" or "Authority" stricken out and definition of "Housing authority" inserted, 1952, 617 § 2; definition of "Housing board" or "board" revised, 1948, 260 § 4; definition of "Federal legislation" revised, 1953, 647 § 10; definition of "Low-rent housing" amended, 1953, 668 § 4; definition of "Elderly persons of low income" inserted, 1953, 668 § 3; definition of "Blighted open area" inserted, 1953, 647 § 12; amended, 1957, 613 § 1; definition of "Decadent area" revised, 1953, 647 § 11; definition of "Land assembly and redevelopment project" revised, 1953, 647 § 13; 1958, 198; definition of "Land assembly and redevelopment plan" amended, 1953, 647 § 14; definition of "Mayor" inserted, 1951, 322; revised, 1954, 71 § 1; definitions of "Redevelopment authority" and "Relocation project" inserted, 1952, 617 § 3; definition of "Veterans" revised, 1948, 200 § 2; definitions of "Servicemen" and "Veterans" stricken out and definitions of "Serviceman" and "Veteran" inserted, 1949, 760 § 1; definition of "Veteran" revised, 1950, 624 § 1; 1951, 441 § 1; 1952, 616 § 1; 1955, 403 § 6. (See 1950, 624 § 2; 1951, 441 § 2; 1952, 616 § 2; 1955, 403 § 14, 654 § 5.)

SECT. 26K, first paragraph amended, 1954, 72 § 1; second paragraph amended, 1953, 647 § 15; 1953, 668 § 5; paragraph added, 1954, 72 § 2.

SECT. 26L, sentence inserted after second sentence, 1954, 428 § 1; sentence inserted, 1955, 128 § 1; fourth sentence revised, 1949, 688. (See 1954, 428 §§ 3, 4; 1955, 128 § 3.)

SECT. 26M, sentence added at end, 1954, 428 § 2; 1955, 128 § 2. (See 1954, 428 §§ 3, 4; 1955, 128 § 3.)

SECT. 26P, paragraph (*b*) amended, 1952, 617 § 5; 1953, 647 § 16, 668 § 6; 1955, 640 § 2.

SECT. 26Q, last sentence revised, 1950, 105 § 2.

SECT. 26S, second paragraph amended, 1958, 571.

SECT. 26U revised, 1955, 327.

SECT. 26V, paragraph added at end, 1957, 140.

SECT. 26BB amended, 1953, 647 § 17.

SECT. 26CC revised, 1950, 486; amended, 1957, 106; revised, 1957, 613 § 2.

SECT. 26DD amended, 1953, 654 § 94.

SECT. 26FF, sentence inserted after first sentence, 1955, 685; first four sentences stricken out and three sentences inserted, 1959, 512; clause (*c*) revised, 1949, 760 § 2; clause (*d*) revised, 1954, 625; amended, 1957, 77; clause (*e*) amended, 1948, 51; 1950, 479 § 5; clause (*f*) revised, 1949, 760 § 3; paragraph added at end, 1950, 631; sentence added at end, 1951, 313; 1954, 629.

SECT. 26GG revised, 1949, 760 § 4.

SECT. 26JJ revised, 1953, 647 § 18; amended, 1957, 613 § 3.

SECT. 26KK, second paragraph revised, 1947, 486; amended, 1953, 409 § 8, section revised, 1953, 647 § 18; second paragraph amended, 1957, 613 § 4.

SECT. 26MM amended, 1953, 647 § 19.

SECT. 26NN stricken out and sections 26NN-26QQ inserted, 1948, 200 § 3 (relative to state-aided projects).

SECT. 26NN, sentence inserted after first sentence, 1949, 742 § 1; last sentence of first paragraph revised, 1951, 456; amended, 1952, 550 § 4; revised, 1954, 507 § 1, 667 § 2; first paragraph amended, 1955, 489, 641; first sentence of third paragraph revised, 1954, 676; 1957, 537; last sentence of fourth paragraph revised, 1957, 372 § 2; last sentence of fifth paragraph revised, 1952, 550 § 2; subdivision (*a*), first paragraph revised, 1949, 742 § 2; amended, 1954, 507 § 2; subdivision (*a*), second paragraph amended, 1952, 550 § 1; subdivision (*a*), third paragraph amended, 1949, 742 § 3; 1954, 507 § 3; subdivision (*b*), first sentence revised, 1952, 550 § 3; subdivision (*b*), first paragraph, sentence added at end, 1949, 713; subdivision (*b*), second paragraph amended, 1949, 742 § 4; 1950, 753; 1957, 372 § 3; subdivision (*d*) added, 1949, 682 § 1; subdivision (*e*) added, 1950, 386; revised, 1952, 550 § 5; subdivision (*f*) added, 1953, 508; subdivision (*g*) added, 1954, 116. (See 1949, 682 § 2; 1952, 550 §§ 6, 7; 1954, 507 § 4; 1957, 372 § 5.)

SECT. 26QQ and caption preceding it stricken out and new section and caption inserted, 1952, 617 § 4 (relative to creating redevelopment authorities); first two paragraphs revised, 1957, 150 § 1; paragraph inserted after second paragraph, 1958, 199; three paragraphs added at end, 1958, 299.

SECT. 26RR added, 1952, 617 § 6 (relative to contracts for state financial assistance for housing); first paragraph amended, 1958, 572 § 1; see-

ond paragraph amended, 1955, 640 § 3; third paragraph amended, 1953, 647 § 20; 1958, 572 § 2; paragraph (b) (2) revised, 1955, 640 § 4; paragraph (b) (3) amended, 1955, 640 § 5; paragraph added at end, 1955, 640 § 6.

SECT. 26SS added, 1952, 617 § 7 (providing a severability clause in case of a finding of invalidity or unconstitutionality of any part of this act); stricken out and sections 26SS-26WW inserted, under caption, 1953, 668 § 1 (to provide for the housing of elderly persons).

SECTS. 26SS-26VV revised, 1954, 667 § 1.

SECT. 26VV amended, 1956, 466; revised, 1957, 168; first sentence amended, 1957, 705 § 2; section revised, 1957, 767; 1958, 591. (See 1957, 705 §§ 1, 3, 4.)

SECT. 26WW stricken out and sections 26WW-26CC inserted, under captions, 1955, 654 § 4 (relative to urban renewal projects). (See 1955, 654 § 5.)

SECT. 26ZZ, second paragraph amended, 1957, 613 § 5.

SECT. 27 repealed, 1933, 364 § 7.

SECTS. 28-37 repealed, 1954, 508 § 2. (See 1954, 508 §§ 3-5.)

SECT. 31 amended, 1948, 559.

SECT. 39 amended, 1941, 351 § 17; repealed, 1958, 613 § 4.

SECT. 40 amended, 1941, 656 § 13. (See 1941, 656 § 17.)

SECT. 41 revised, 1958, 179.

SECT. 42 amended, 1932, 180 § 22; 1941, 406; 1958, 613 § 7; two sentences added at end, 1952, 303.

Chapter 121A. — Urban Redevelopment Corporations.

New chapter inserted, 1945, 654 § 1.

SECT. 1, definition of "Decadent area" amended, 1947, 15; section revised, 1953, 647 § 1; definition of "Project" amended, 1954, 73 § 1; paragraph added at end, 1954, 73 § 2.

SECTS. 2 and 3 revised, 1953, 647 § 1.

SECT. 6, first two paragraphs stricken out and four paragraphs inserted, 1953, 647 § 2; paragraph added at end, 1956, 640 § 1.

SECT. 7, first two paragraphs revised, 1947, 487 § 1; first paragraph amended, 1956, 640 § 2.

SECT. 7A added, 1946, 574 § 3 (relative to acquisition from housing authorities of sites for urban redevelopment); first sentence revised, 1955, 654 § 4A. (See 1955, 654 § 5.)

SECT. 9 revised, 1956, 640 § 3.

SECT. 10, two paragraphs added at end, 1953, 647 § 3; section revised, 1956, 640 § 4.

SECT. 12, paragraph added at end, 1947, 487 § 2.

SECT. 15, first paragraph revised, 1953, 647 § 4.

SECT. 16 stricken out and sections 16 and 16A inserted, 1953, 647 § 5.

SECT. 17 repealed, 1953, 647 § 6.

SECT. 18, paragraph (a) revised, 1953, 647 § 7; paragraph (c) revised, 1953, 647 § 8.

SECT. 18A added, 1946, 129 (authorizing savings banks to invest in urban redevelopment projects).

SECT. 18B added, 1953, 647 § 9 (relative to the forming of urban redevelopment corporations).

Chapter 122. — Tewksbury Hospital (former titles, Tewksbury State Hospital and Infirmary and State Infirmary).

Chapter stricken out and new chapter 122 inserted, 1958, 613 § 8. (See 1958, 613 §§ 9-14.)

For prior changes see Table of Changes contained in Acts and Resolves of 1956.

Chapter 123. — Commitment and Care of the Insane and Other Mental Defectives.

For legislation relative to the establishment of the Norfolk state hospital for the care of the criminal insane, see 1935, 421; 1939, 485; 1941, 194 §§ 20, 21, 722 §§ 12, 13.

SECT. 1, definition of "commissioner" and "department" revised, 1938, 486 § 7; "mentally ill" and "mentally deficient" defined, 1955, 637 § 1.

SECT. 2 revised, 1956, 715 § 7.

SECT. 3, first sentence stricken out and two sentences inserted, 1956, 715 § 8.

SECT. 3A amended, 1956, 715 § 9.

SECT. 4 revised, 1938, 486 § 8.

SECT. 5 revised, 1956, 602 § 13. (See 1956, 602 §§ 17-20.)

SECT. 6A added, 1957, 638 (authorizing the department of mental health to lease land at institutions under its control for the erection of chapels thereon).

SECT. 7, two sentences added at end, 1954, 598 § 1.

SECT. 8, second sentence stricken out, 1953, 612 § 9.

SECT. 8A added, 1935, 301 (providing for co-operation between the departments of mental diseases and public works relative to roads at state hospitals).

SECT. 10 amended, 1941, 490 § 25; 1955, 637 § 2.

SECT. 11, paragraph added at end, 1955, 637 § 3.

SECT. 13 revised, 1936, 286.

SECT. 13A, two sentences added at end, 1955, 637 § 4.

SECT. 13B added, 1957, 608 (providing for the establishment of community clinics for retarded children of pre-school age).

SECT. 15 amended, 1941, 656 § 14. (See 1941, 656 § 17.)

SECT. 16 revised, 1938, 486 § 9; amended, 1939, 500 § 1; 1947, 429 § 1; 1951, 497; 1954, 189; second sentence revised, 1954, 598 § 2. (See 1946, 324; 1947, 429 § 2.)

SECT. 16A amended, 1938, 486 § 10.

SECT. 19 repealed, 1935, 163.

SECT. 20 revised, 1955, 637 § 5.

SECT. 20A added, 1945, 311 (relative to commitment to the Veterans Administration or other agencies of the United States of certain war veterans for care and treatment).

SECT. 21 repealed, 1956, 589 § 1.

SECT. 22 revised, 1941, 351 § 40, 706; repealed, 1950, 441 § 2.

SECT. 22A amended, 1941, 194 § 7; revised, 1958, 635.

SECT. 25 amended, 1935, 314 § 3, 421 § 4; 1950, 684 § 3; 1954, 469 § 4; 1956, 63 § 2; 1959, 215 § 3. (See 1935, 421 § 6; 1950, 684 §§ 11, 12; 1954, 469 § 5; 1956, 63 § 3; 1959, 215 §§ 11, 12.)

SECT. 26 repealed, 1938, 486 § 11.

SECT. 28 revised, 1938, 486 § 12; 1945, 638; 1954, 598 § 3; sentence inserted after fifth sentence, 1957, 482 § 4. (See 1957, 482 §§ 5, 6.)

SECT. 29 revised, 1938, 486 § 13; clause (*f*) added, 1954, 598 § 5.

SECT. 30 revised, 1938, 486 § 14.

SECT. 31 revised, 1938, 486 § 15.

SECT. 32 revised, 1933, 115; 1938, 486 § 16.

SECT. 35 revised, 1946, 33 § 1.

SECT. 36 revised, 1939, 500 § 12.

SECT. 37 revised, 1946, 33 § 2.

SECT. 39, sentence added at end, 1936, 291 § 1; section revised, 1950, 162 § 6; 1954, 126 § 6.

SECT. 39A amended, 1936, 291 § 2; first sentence amended, 1954, 455.

SECT. 39B added, 1932, 204 (relative to the disposition of unclaimed belongings at certain state hospitals, known as "patients' valuables"); revised, 1936, 291 § 3.

SECT. 39C added, 1933, 256 (relative to the disposition of moneys represented by certain bank books belonging to former patients of certain state hospitals); revised, 1936, 291 § 4.

SECT. 40 amended, 1939, 500 § 13.

SECT. 43 repealed, 1939, 500 § 2.

SECT. 45 amended, 1938, 486 § 17; 1950, 684 § 4; first sentence amended, 1959, 215 § 4; two sentences inserted after first sentence, 1957, 594; sentence added at end, 1955, 637 § 6. (See 1938, 486 §§ 21, 22; 1950, 684 §§ 11, 12.)

SECT. 46 amended, 1938, 486 § 18; 1950, 684 § 5; 1959, 215 § 5. (See 1938, 486 §§ 21, 22; 1950, 684 §§ 11, 12.)

SECT. 47 revised, 1938, 486 § 19; 1945, 467. (See 1938, 486 §§ 21, 22.)

SECT. 48 repealed, 1952, 307.

SECT. 49 amended, 1945, 451; repealed, 1952, 307.

SECT. 50 revised, 1935, 314 § 4; amended, 1955, 637 § 7.

SECT. 51 amended, 1950, 684 § 6; revised, 1955, 637 § 8; first paragraph amended, 1959, 215 § 6; second paragraph revised, 1956, 589 § 2. (See 1950, 684 §§ 11, 12.)

SECT. 52 amended, 1932, 85; 1955, 637 § 9.

SECT. 53 revised, 1941, 645 § 1; amended, 1955, 637 § 10; revised, 1956, 589 § 3.

SECT. 54 amended, 1955, 637 § 11.

SECT. 55 amended, 1955, 637 § 12.

SECT. 56 repealed, 1939, 500 § 4.

SECTS. 57-61 repealed, 1955, 637 § 13.

SECT. 62 amended, 1941, 655 § 1; first sentence revised, 1956, 715 § 10.

SECT. 63 amended, 1956, 715 § 11.

SECT. 66, paragraph added at end, 1939, 500 § 6; first sentence amended, 1945, 24; 1950, 684 § 7; 1959, 215 § 7; sentence inserted after first sentence, 1954, 218. (See 1950, 684 §§ 11, 12.)

SECT. 66A amended, 1941, 194 § 8; revised, 1954, 685 § 3.

SECT. 67A added, 1950, 684 § 8 (relative to the disposition of certain inmates at Myles Standish state school); amended, 1959, 215 § 8.

SECT. 68 amended, 1956, 715 § 12.

SECT. 69, sentence added at end, 1945, 227.

SECT. 73 revised, 1947, 194.

SECT. 77, first sentence amended, 1935, 314 § 5; section revised, 1939, 500 § 5; 1955, 637 § 14; third and fourth sentences revised, 1956, 589 § 4.

SECT. 78, first sentence revised, 1935, 314 § 6.

SECT. 79, first sentence revised, 1935, 314 § 7; section revised, 1939, 500 § 7; amended, 1941, 216 § 1; revised, 1941, 645 § 2; sentence inserted after fifth sentence, 1956, 589 § 5.

SECT. 80 amended, 1939, 500 § 8; revised, 1956, 715 § 13.

SECT. 82 amended, 1939, 500 § 9.

SECT. 84 revised, 1941, 481; amended, 1941, 490 § 26; revised, 1941, 722 § 10.

SECT. 86 amended, 1935, 314 § 8; revised, 1939, 500 § 10; 1955, 637 § 15.

SECT. 86A added, 1947, 517 (providing for the reception in certain state institutions under the department of mental health of certain mentally ill children); first paragraph revised, 1956, 589 § 6.

SECT. 87 amended, 1939, 500 § 11; revised, 1945, 454.

SECT. 88A revised, 1945, 25.

SECT. 89 revised, 1941, 216 § 3; amended, 1956, 715 § 14; last sentence revised, 1950, 571; 1954, 685 § 4.

SECT. 89A amended, 1941, 194 § 9.

SECT. 89B amended, 1938, 254 § 1; 1941, 194 § 10; 1950, 733.

SECT. 90, first sentence amended, 1932, 180 § 23.

SECT. 91 amended, 1950, 684 § 9; 1959, 215 § 9. (See 1950, 684 §§ 11, 12.)

SECT. 93 amended, 1950, 684 § 10; 1959, 215 § 10. (See 1950, 684 §§ 11, 12; 1959, 215 §§ 11, 12.)

SECT. 94A added, 1947, 681 (providing for the adjudication of restoration of soundness of mind); third sentence stricken out and three sentences inserted, 1952, 535; section revised, 1959, 293.

SECT. 96 amended, 1941, 351 § 41; first paragraph revised, 1954, 598 § 4; amended, 1958, 613 § 8A; second paragraph amended, 1950, 485 § 2; third paragraph revised, 1941, 398.

SECT. 100 revised, 1956, 589 § 7.

SECT. 100A amended, 1941, 194 § 11; 1953, 319 § 17; sentence inserted after third sentence, 1957, 236. (See 1953, 319 §§ 39, 40.)

SECT. 102 revised, 1934, 15; first paragraph amended, 1941, 344 § 3; 1955, 770 § 5; paragraph added at end, 1938, 226; amended, 1947, 459; 1952, 396. (See 1955, 770 §§ 117, 123.)

SECT. 105 revised, 1936, 130; first paragraph amended, 1945, 50; last paragraph amended, 1939, 54; 1941, 216 § 2.

SECT. 110 amended, 1937, 136.

SECT. 113 amended, 1941, 194 § 12; revised, 1943, 185 § 1; amended, 1947, 684 § 1; first sentence amended, 1948, 310 § 28; section revised, 1952, 608 § 1; second paragraph amended, 1954, 404 § 2; last paragraph amended, 1954, 404 § 3; section revised, 1954, 685 § 1. (See 1948, 310 §§ 30-31; 1953, 645; 1954, 404 § 1.)

SECT. 114 revised, 1943, 185 § 2; 1948, 310 § 29; repealed, 1952, 608 § 2. (See 1948, 310 §§ 30-31.)

SECT. 115 revised, 1943, 185 § 3; 1946, 557 § 1; 1947, 684 § 2.

SECT. 116 revised, 1943, 185 § 4; repealed, 1952, 608 § 2.

SECT. 117 amended, 1941, 655 § 2; 1955, 770 § 6. (See 1955, 770 §§ 117, 123.)

SECT. 117A added, 1936, 32 (providing in certain cases for the return to penal institutions of prisoners removed therefrom to departments for defective delinquents); revised, 1943, 185 § 5.

SECT. 118 revised, 1938, 254 § 2; 1943, 185 § 6; amended, 1945, 150; revised, 1946, 557 § 2; 1947, 684 § 3.

SECT. 118A added, 1947, 684 § 3 (relative to the parole of defective delinquents).

SECT. 119 revised, 1938, 254 § 3.

Chapter 123A. — Care, Treatment and Rehabilitation of Sexually Dangerous Persons (former title, Care, Treatment and Rehabilitation of Sexual Offenders and Victims of such Offenders).

New chapter inserted, 1947, 683.

Chapter stricken out and new chapter 123A (with new title) inserted, 1954, 686 § 1. (See 1954, 686 § 2; 1957, 772 § 7.)

The following references are to chapter 123A, as so inserted:

SECT. 2 revised, 1957, 772 § 1.

SECT. 3 amended, 1957, 772 § 2.

SECT. 4, first sentence revised, 1957, 772 § 3.

SECT. 5, first sentence amended, 1957, 772 § 4.

SECT. 7 repealed, 1957, 772 § 5.

SECT. 8, first sentence amended, 1957, 772 § 6.

Chapter stricken out and new chapter 123A (with new title) inserted, 1958, 646 § 1. (See 1958, 646 § 2.)

The following references are to chapter 123A, as so inserted:

SECT. 2 revised, 1959, 615.

Chapter 124. — Powers and Duties of the Department of Correction.

SECT. 1 amended, 1939, 451 § 38; 1941, 344 § 4; revised, 1955, 770 § 7; paragraph (c) revised, 1956, 731 § 4. (See 1955, 770 §§ 144-123; 1956, 731 §§ 29-33.)

SECT. 2 revised, 1955, 770 § 8. (See 1955, 770 §§ 114, 117, 118, 123.)

SECTS. 3 and 4 repealed, 1955, 770 § 122. (See 1955, 770 §§ 117, 123.)

SECT. 5 amended, 1941, 344 § 5; 1955, 770 § 9. (See 1955, 770 §§ 117, 123.)

SECT. 6 amended, 1936, 23 § 2; 1939, 451 § 39; 1955, 770 § 10. (See 1955, 770 §§ 117, 123.)

SECT. 7 amended, 1939, 451 § 40; repealed, 1954, 567 § 3. (See 1954, 567 § 10.)

SECT. 8 amended, 1935, 48 § 1; 1953, 319 § 18. (See 1935, 48 § 2; 1953, 319 §§ 39, 40.)

Chapter 125. — Correctional Institutions of the Commonwealth (former title, Penal and Reformatory Institutions of the Commonwealth).

Chapter stricken out and new chapter 125 (with new title) inserted, 1955, 770 § 11. (See 1955, 770 §§ 114-123.)

For prior changes see Table of Changes contained in Acts and Resolves of 1955.

The following references are to chapter 125, as so inserted:

SECT. 1 amended, 1956, 731 § 5. (See 1956, 731 §§ 29-33.)

SECT. 2, first sentence amended, 1956, 16 § 2; section revised, 1957, 777 § 1.

SECT. 4 revised, 1957, 50 § 1. (See 1957, 50 § 2.)

SECT. 5 revised, 1957, 777 § 2.

SECT. 7 amended, 1957, 777 § 3.

SECT. 9, second sentence revised, 1957, 494.

SECT. 13 amended, 1957, 777 § 4.

SECT. 14 amended, 1957, 777 § 5.

SECT. 15 amended, 1957, 777 § 6.

SECT. 16, paragraph added at end, 1956, 715 § 15.

SECT. 19, paragraph inserted before first paragraph, 1956, 715 § 16.

Chapter 126. — Jails, Houses of Correction and Reformation, and County Industrial Farms.

SECT. 4, sentence added at end, 1957, 192.

SECT. 9A added, 1948, 469 (relative to the wearing of uniforms by certain officers and employees of county penal institutions).

SECT. 16 revised, 1937, 219 § 6.

SECT. 18A added, 1953, 355 (relative to indemnification by counties of certain officers sustaining expenses or damages by reason of wilful acts of inmates).

SECT. 24, last sentence revised, 1955, 770 § 12. (See 1955, 770 §§ 117, 118, 123.)

SECT. 37 amended, 1936, 228.

SECT. 38 revised, 1957, 28 § 1. (See 1957, 28 § 2.)

Chapter 127. — Officers and Inmates of Penal and Reformatory Institutions, Paroles and Pardons.

SECT. 1 revised, 1941, 490 § 27.

SECT. 2 amended, 1941, 344 § 10; revised, 1955, 770 § 13; amended, 1957, 777 § 7. (See 1955, 770 §§ 117, 118, 123.)

SECT. 4 amended, 1955, 770 § 14. (See 1955, 770 §§ 117, 118, 123.)

SECT. 6 amended, 1955, 770 § 15; revised, 1957, 777 § 8. (See 1955, 770 §§ 117, 118, 123.)

SECT. 10 amended, 1936, 23 § 3; 1941, 656 § 15; revised, 1955, 770 § 16. (See 1941, 656 § 17; 1955, 770 §§ 116–118, 123.)

SECT. 11 revised, 1941, 344 § 11; repealed, 1955, 770 § 122. (See 1955, 770 §§ 117, 123.)

SECT. 12 amended, 1941, 344 § 12; revised, 1955, 770 § 17. (See 1955, 770 §§ 116–118, 123.)

SECT. 14 amended, 1939, 200.

SECT. 15 repealed, 1955, 770 § 122. (See 1955, 770 §§ 117, 123.)

SECT. 16, last sentence stricken out, 1933, 77 § 1; section amended, 1941, 344 § 13; revised, 1948, 129 § 8; first sentence revised, 1955, 770 § 18; section revised, 1957, 777 § 9. (See 1955, 770 §§ 117, 123.)

SECT. 17 revised, 1933, 77 § 2; last sentence revised, 1955, 770 § 19. (See 1955, 770 §§ 117, 123.)

SECT. 18 amended, 1933, 77 § 3.

SECT. 20 revised, 1955, 770 § 20; amended, 1956, 731 § 6. (See 1955, 770 §§ 117, 123; 1956, 731 §§ 29–33.)

SECT. 21 revised, 1955, 770 § 21. (See 1955, 770 §§ 117, 123.)

SECT. 23 amended, 1941, 69.

SECT. 27 amended, 1955, 770 § 22. (See 1955, 770 §§ 117, 123.)

SECT. 28 revised, 1955, 770 § 23; amended, 1957, 777 § 10. (See 1955, 770 §§ 117, 123.)

SECT. 32 revised, 1955, 770 § 24; amended, 1957, 777 § 11.

SECT. 33 revised, 1955, 770 § 25; amended, 1957, 777 § 12. (See 1955, 770 §§ 117, 123.)

SECT. 34 repealed, 1955, 770 § 122. (See 1955, 770 §§ 117, 123.)

SECT. 35 amended, 1941, 344 § 14; repealed, 1955, 770 § 122. (See 1955, 770 §§ 117-123.)

SECT. 36 revised, 1941, 237 § 1; first sentence revised, 1955, 770 § 26; section revised, 1957, 777 § 13. (See 1955, 770 §§ 117, 123.)

SECT. 36A added, 1955, 770 § 27 (relative to the right of an inmate to confer with an attorney at law designated by him); amended, 1957, 777 § 14. (See 1955, 770 §§ 116, 117, 123.)

SECT. 37 revised, 1941, 237 § 2; 1955, 770 § 28; amended, 1957, 777 § 15. (See 1955, 770 §§ 117, 123.)

SECT. 38A added, 1953, 295 (penalizing prisoners in certain correctional institutions who hold persons as hostages).

SECT. 38B added, 1959, 445 § 1 (establishing a penalty for assault or assault and battery by certain prisoners on their custodians or guards).

SECT. 39 amended, 1955, 357; revised, 1955, 770 § 29; amended, 1957, 777 § 16. (See 1955, 770 §§ 117, 123.)

SECT. 40 revised, 1955, 770 § 30; amended, 1957, 777 § 17. (See 1955, 770 §§ 117, 123.)

SECT. 41 revised, 1955, 770 § 31. (See 1955, 770 §§ 117, 123.)

SECTS. 42-47 repealed, 1955, 770 § 122. (See 1955, 770 §§ 117, 123.)

SECT. 48 revised, 1955, 770 § 32. (See 1955, 770 §§ 117, 123.)

SECT. 48A revised, 1946, 461 § 1; 1955, 770 § 33; amended, 1957, 777 § 18. (See 1955, 770 §§ 117, 123.)

SECT. 49 revised, 1955, 770 § 34. (See 1955, 770 §§ 117, 123.)

SECT. 50 revised, 1941, 344 § 15; repealed, 1955, 770 § 122. (See 1955, 770 §§ 117, 123.)

SECT. 51 amended, 1941, 344 § 16; revised, 1955, 770 § 35; amended, 1957, 777 § 19. (See 1955, 770 §§ 117, 119, 123.)

SECT. 52 revised, 1955, 770 § 36. (See 1955, 770 §§ 117, 123.)

SECT. 54 amended, 1955, 770 § 37. (See 1955, 770 §§ 117, 119, 123.)

SECT. 59 repealed, 1955, 770 § 122. (See 1955, 770 §§ 117, 123.)

SECT. 61 revised, 1955, 770 § 38. (See 1955, 770 §§ 117, 123.)

SECTS. 62-65 repealed, 1955, 770 § 122. (See 1955, 770 §§ 117, 123.)

SECT. 66 revised, 1955, 770 § 39; amended, 1957, 777 § 20. (See 1955, 770 §§ 117, 123.)

SECT. 66A added, 1955, 770 § 40 (relative to the purchase of tools, implements and materials required for use in prison industries). (See 1955, 770 §§ 117, 123.)

SECT. 67 amended, 1955, 770 § 41; revised, 1957, 777 § 21. (See 1955, 770 §§ 117, 123.)

SECT. 67A added, 1932, 252 § 1 (regulating the sale of prison made goods). (See 1932, 252 § 2.)

SECT. 68 revised, 1955, 770 § 42. (See 1955, 770 §§ 117, 123.)

SECT. 69 amended, 1955, 770 § 43; revised, 1957, 777 § 22. (See 1955, 770 §§ 117, 123.)

SECT. 70 repealed, 1955, 770 § 122. (See 1955, 770 §§ 117, 123.)

SECT. 71 revised, 1941, 344 § 17; 1946, 461 § 2; first paragraph revised, 1955, 770 § 44; section revised, 1957, 777 § 23. (See 1955, 770 §§ 117, 119, 123.)

SECT. 72 amended, 1941, 344 § 18; revised, 1941, 436 § 1; first and third sentences revised, 1955, 770 § 45; section revised, 1957, 777 § 24. (See 1941, 436 § 2; 1955, 770 §§ 117, 123.)

SECT. 73 revised, 1955, 770 § 46; amended, 1957, 777 § 25. (See 1955, 770 §§ 117, 120, 123.)

SECTS. 74-77 repealed, 1955, 770 § 122. (See 1955, 770 §§ 117, 123.)

SECT. 78 and sections 79-82 (and heading preceding said section 79) repealed, 1941, 344 § 19.

SECTS. 83A-83D added, 1951, 755 (relative to the establishment of prison camps in state forests). (See 1955, 770 §§ 117, 120, 123.)

SECT. 83A revised, 1956, 667.

SECT. 83B amended, 1955, 770 § 47. (See 1955, 770 §§ 117, 123.)

SECT. 83E added, 1956, 731 § 7 (relative to the establishment of camps for certain prisoners prior to their release or parole); amended, 1957, 363.

SECT. 84 amended, 1941, 490 § 28.

SECT. 85, caption preceding section revised, 1956, 715 § 17; section revised, 1950, 727 § 1; amended, 1955, 770 § 48; revised, 1957, 777 § 26. (See 1955, 770 §§ 117, 123.)

SECT. 86 revised, 1950, 727 § 2; amended, 1955, 770 § 49. (See 1955, 770 §§ 117, 123.)

SECTS. 86A-86C added, 1956, 715 § 18 (relative to the employment of prisoners in day-work).

SECT. 87 amended, 1941, 344 § 20; revised, 1955, 770 § 50; amended, 1957, 777 § 27. (See 1955, 770 §§ 117, 123.)

SECT. 88 amended, 1955, 770 § 51; revised, 1957, 777 § 28. (See 1955, 770 §§ 117, 123.)

SECT. 89 revised, 1955, 770 § 52; amended, 1957, 777 § 29. (See 1955, 770 §§ 117, 123.)

SECT. 90 amended, 1955, 770 § 53. (See 1955, 770 §§ 117, 123.)

SECT. 90A revised, 1938, 65; 1951, 394; amended, 1952, 299.

SECT. 91 repealed, 1955, 770 § 122. (See 1955, 770 §§ 117, 123.)

SECT. 92 revised, 1955, 770 § 54. (See 1955, 770 §§ 117, 123.)

SECT. 93 revised, 1955, 770 § 55. (See 1955, 770 §§ 117, 123.)

SECT. 95 repealed, 1958, 588 § 1.

SECT. 96 amended, 1941, 351 § 42; repealed, 1958, 588 § 1; amended, 1958, 613 § 8B (effective date subsequent to effective date of 1958, 588 § 1 and therefore of no effect).

SECTS. 96A and 96B added, 1936, 383 (providing for the disposition of unclaimed money and property of former prisoners).

SECT. 96A amended, 1945, 290; revised, 1955, 770 § 56; amended, 1957, 777 § 30. (See 1955, 770 §§ 117, 123.)

SECT. 96B revised, 1955, 770 § 57; amended, 1957, 777 § 31. (See 1955, 770 §§ 117, 123.)

SECT. 97 revised, 1943, 113; 1955, 770 § 58; amended, 1956, 731 § 8; revised, 1958, 634. (See 1955, 770 §§ 117, 123.)

SECTS. 98-108 repealed, 1955, 770 § 122. (See 1955, 770 §§ 117, 123.)

SECT. 109 repealed, 1941, 344 § 21.

SECT. 109A repealed, 1955, 770 § 122. (See 1955, 770 §§ 117, 123.)

SECT. 109B added, 1935, 113 § 1 (relative to the transfer of certain prisoners from the Massachusetts Reformatory to the State Prison); repealed, 1955, 770 § 122. (See 1935, 113 § 2; 1955, 770 §§ 117, 123.)

SECTS. 110 and 111 repealed, 1955, 770 § 122. (See 1955, 770 §§ 117, 123.)

SECT. 111A added, 1933, 169 (relative to transfers of defective delinquents and drug addicts from one institution to another under the department of correction).

SECT. 113 revised, 1955, 770 § 59. (See 1955, 770 §§ 117, 123.)

SECT. 114 repealed, 1955, 770 § 122. (See 1955, 770 §§ 117, 123.)

SECT. 117 revised, 1941, 510 § 1; 1943, 120.

SECT. 118 revised, 1938, 456; amended, 1941, 351 § 43; revised, 1941, 510 § 2; amended, 1958, 613 § 8C.

SECT. 122 amended, 1955, 770 § 60. (See 1955, 770 §§ 117, 123.)

SECT. 123 amended, 1941, 510 § 3; second sentence revised, 1955, 770 § 61. (See 1955, 770 §§ 117, 123.)

SECT. 124 revised, 1955, 770 § 62. (See 1955, 770 §§ 117, 123.)

SECT. 125 amended, 1946, 148; revised, 1955, 770 § 63. (See 1955, 770 §§ 117, 123.)

SECT. 126 revised, 1955, 770 § 64. (See 1955, 770 §§ 117, 123.)

SECT. 127 amended, 1938, 71; 1941, 70, 690 § 5A; sentence added at end, 1945, 449 § 2; amended, 1953, 215 § 1; last two sentences stricken out, 1955, 770 § 65. (See 1941, 690 §§ 8-10; 1953, 215 § 2; 1955, 770 §§ 117, 123.)

SECT. 128 amended, 1939, 451 § 41; revised, 1941, 690 § 1. (See 1941, 690 §§ 8-10.)

SECTS. 129-139 stricken out and new sections 129-136A inserted, 1941, 690 § 2. (See 1941, 690 §§ 8-10.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to sections 129-136A, as so inserted:

SECT. 129, third sentence amended, 1945, 49 § 1; section revised, 1946, 543 § 1; sentence added at end, 1947, 131 § 1; section revised, 1948, 450 § 1; third, fourth and fifth paragraphs revised, 1954, 567 § 4; section revised, 1955, 770 § 66; paragraph added at end, 1959, 445 § 2. (See 1945, 49 § 2; 1946, 543 § 6; 1947, 131 § 2; 1948, 450 § 3; 1954, 567 § 10; 1955, 770 §§ 117, 123.)

SECT. 129A added, 1959, 224 (providing for a reduction in sentence for prisoners who donate blood for certain causes); revised, 1959, 382 § 1. (See 1959, 382 § 2.)

SECT. 130 revised, 1946, 543 § 2; 1948, 450 § 2; 1955, 770 § 67. (See 1946, 543 § 6; 1948, 450 § 3; 1955, 770 §§ 117, 123.)

SECT. 130A added, 1955, 770 § 68 (relative to the issuance of certificates of termination by the parole board). (See 1955, 770 §§ 117, 123.)

SECT. 132 revised, 1946, 543 § 3; last sentence revised, 1954, 567 § 5; repealed, 1955, 770 § 122. (See 1946, 543 § 6; 1954, 567 § 10; 1955, 770 §§ 117, 123.)

SECT. 133 amended, 1946, 254; revised, 1955, 770 § 69. (See 1955, 770 §§ 117, 123.)

SECTS. 133A and 133B added, 1955, 770 § 70 (relative to the parole of certain prisoners). (See 1955, 770 §§ 117, 123.)

SECT. 133A, first sentence revised, 1956, 731 § 9.

SECT. 134 revised, 1946, 543 § 4; 1955, 770 § 71. (See 1946, 543 § 6; 1955, 770 §§ 117, 123.)

SECT. 135, last sentence revised, 1954, 567 § 6. (See 1954, 567 § 10.)

SECT. 136 revised, 1946, 543 § 5; amended, 1955, 770 § 73. (See 1946, 543 § 6; 1955, 770 §§ 117, 123.)

SECT. 136A amended, 1951, 33; revised, 1956, 715 § 19.

SECT. 141 amended, 1941, 174 § 1; revised, 1947, 578; amended, 1956, 731 § 10.

SECT. 144 amended, 1950, 460.

SECT. 145 amended, 1953, 319 § 19. (See 1953, 319 §§ 39, 40.)

SECT. 146 revised, 1932, 221 § 1.

SECT. 149 amended, 1939, 451 § 51; revised, 1941, 174 § 2; amended, 1941, 690 § 3; revised, 1946, 424 § 1. (See 1941, 690 §§ 8-10; 1946, 424 § 2.)

SECT. 151, last sentence amended, 1932, 180 § 25; section revised, 1956, 731 § 11; amended, 1958, 613 § 8D.

SECTS. 151A-151G added, under caption, 1937, 307 § 1 (providing for the entry of this commonwealth into compacts with any of the United States for mutual helpfulness in relation to persons convicted of crimes or offences who are on probation or parole). (See 1937, 307 § 2.)

SECT. 151F revised, 1957, 229 § 2.

SECT. 151G revised, 1957, 229 § 3.

SECTS. 151H and 151I added, 1956, 229 (authorizing contracts with other states for the joint return of parole and probation violators).

SECT. 151J added, 1957, 229 § 1 (authorizing the retaking and temporary detention of parolees under the out-of-state probationer and parolee supervision law).

SECT. 151K added, 1958, 363 (extending the power of the commonwealth further to enter into interstate compacts for the supervision of probationers and parolees).

SECT. 152 revised, 1939, 479; sentence inserted after second sentence, 1948, 310 § 21; second paragraph revised, 1951, 42; 1952, 256; paragraph inserted after third paragraph, 1951, 773; sentence added at end of fourth paragraph, 1941, 297; same sentence stricken out, 1945, 38 § 8; section revised, 1954, 567 § 7. See 1945, 180. (See 1948, 310 §§ 30, 31; 1954, 567 § 10.)

SECT. 153. See 1945, 180.

SECT. 154 amended, 1939, 451 § 52; revised, 1941, 690 § 4; 1954, 567 § 8. See 1945, 180. (See 1941, 690 §§ 8-10; 1954, 567 § 10.)

SECT. 154A added, 1935, 225 (requiring consideration by the advisory board of pardons of the cases of certain life prisoners on the question of extending clemency); amended, 1939, 451 § 53; 1955, 770 § 72. (See 1955, 770 §§ 117, 123.)

SECT. 155 revised, 1954, 567 § 9. (See 1954, 567 § 10.)

SECT. 158 revised, 1941, 344 § 24; 1955, 770 § 74. (See 1955, 770 §§ 117, 123.)

SECT. 159 repealed, 1955, 770 § 122. (See 1955, 770 §§ 117, 123.)

SECT. 160 revised, 1941, 344 § 25; 1943, 433; last sentence stricken out, 1945, 512; section revised, 1955, 770 § 75. (See 1955, 770 §§ 117, 123.)

SECT. 162 revised, 1951, 467; 1955, 770 § 76; amended, 1957, 777 § 32. (See 1955, 770 §§ 117, 123.)

SECTS. 166-169 added, 1939, 484 (regulating the payment or receipt of money or other rewards or gratuities for the purpose of obtaining the

granting of any pardon, parole, or commutation of or respite from sentence).

SECTS. 166 and 167 revised, 1941, 690 § 5. (See 1941, 690 §§ 8-10.)

Chapter 128. — Agriculture.

SECT. 1 amended, 1941, 490 § 29.

SECT. 1A added, 1952, 386 (defining "agriculture" and "farming").

SECT. 2, paragraph (*a*) revised, 1941, 490 § 30; paragraph (*d*) revised, 1957, 428; paragraph (*f*) amended, 1937, 415 § 1; 1938, 230; 1956, 694; paragraph (*g*) added, 1933, 291 § 1; same paragraph repealed, 1941, 598 § 3.

SECT. 6 amended, 1933, 291 § 2; 1941, 598 § 4.

SECT. 8A added, 1943, 495 (relative to the control or destruction of certain rodents by the commissioner of agriculture); amended, 1946, 366.

SECT. 10 amended, 1934, 340 § 10. (See 1934, 340 § 18.)

SECT. 13 amended, 1934, 340 § 11. (See 1934, 340 § 18.)

SECTS. 16-31A affected, 1939, 405.

SECT. 16, caption preceding section revised, 1941, 490 § 31; section amended, 1941, 490 § 32.

SECT. 20A added, 1953, 91 (relative to the control of water chestnut).

SECT. 21 revised, 1948, 303 § 1.

SECT. 22 amended, 1941, 490 § 33; repealed, 1952, 480 § 2. (See 1952, 480 § 3.)

SECT. 23 amended, 1941, 490 § 34.

SECT. 24A added, 1939, 136 (providing for the control of the Dutch elm disease); repealed, 1949, 761 § 13.

SECT. 27 revised, 1938, 309; 1948, 303 § 2.

SECT. 31A revised, 1943, 144.

SECTS. 32-38 revised, 1951, 506.

SECT. 39 repealed, 1933, 74 § 2.

SECT. 41 revised, 1957, 319 § 1. (See 1957, 319 § 2.)

SECT. 42 revised, 1932, 166; paragraph added at end, 1947, 180.

Chapter 128A. — Horse and Dog Racing Meetings.

New chapter inserted, 1934, 374 § 3.

SECT. 1, definition of "State or county fair" added at end, 1958, 208 § 1.

SECT. 2, subsection (5) amended, 1946, 575 § 1; revised, 1958, 229 § 1; second paragraph revised, 1950, 716; 1959, 295 § 1.

SECT. 3, first paragraph revised, 1935, 454 § 2; 1943, 269; 1958, 208 § 2; 1959, 295 § 2; clause (*b*) revised, 1946, 575 § 2; 1958, 229 § 2; clause (*c*) amended, 1941, 382; clause (*d*) revised, 1946, 575 § 3; 1953, 663; clause (*e*) revised, 1939, 505 § 1; 1958, 116; clause (*f*) amended, 1935, 454 § 3; clause (*h*) amended, 1935, 454 § 4; clause (*i*) revised, 1939, 505 § 2; clause (*j*) revised, 1946, 575 § 4; clause (*n*) added, 1935, 239 (forbidding the licensed racing of horses and dogs under the pari-mutuel system of betting, on publicly owned premises); clause (*n*) added, 1935, 471 § 1 (forbidding the licensed racing of dogs under such system, in certain residential neighborhoods); designation of the clause added by 1935, 471 § 1 changed from (*n*) to (*o*), 1936, 405 § 3. (See 1935, 471 § 2; 1939, 505 § 3; 1958, 208 § 3.)

SECT. 4, second paragraph amended, 1947, 567; revised, 1949, 521; last paragraph revised, 1939, 356.

SECT. 5, first paragraph revised, 1935, 454 § 1; paragraph inserted after first paragraph, 1946, 252; second paragraph, as appearing in 1934, 374 § 3, revised, 1936, 351; 1946, 575 § 5; second sentence of same paragraph amended, 1953, 311 § 1; third paragraph, as so appearing, revised, 1936, 351; 1939, 473; first sentence of same paragraph revised, 1946, 381 § 1, 575 § 7; 1949, 294 § 1; amended, 1953, 311 § 2; second sentence of same paragraph revised, 1946, 381 § 2; 1949, 294 § 3; third sentence of same paragraph amended, 1953, 311 § 3; paragraph inserted after fourth paragraph, 1947, 390 § 1; last paragraph, as appearing in 1934, 374 § 3, amended, 1939, 497; paragraph added at end, 1946, 575 § 6; revised, 1949, 294 § 2. Temporarily affected, 1948, 220; 1949, 294 § 4; 1951, 178; 1953, 246 § 14, 499; 1955, 276; 1957, 280; 1959, 32.

SECT. 5A added, 1946, 445 § 1 (relative to the disposition of money held for payment of unclaimed winnings upon wagers made at horse and dog racing meetings). (See 1946, 445 § 2.)

SECT. 9, last paragraph revised, 1935, 454 § 5.

SECT. 9A added, 1935, 454 § 6 (relative to rules, regulations and conditions to be prescribed by the state racing commission); revised, 1956, 454.

SECT. 10 revised, 1936, 268.

SECT. 13 amended, 1935, 454 § 7.

SECT. 13A added, 1935, 454 § 8 (relative to the application of certain laws as to betting and certain local requirements as to race tracks and public amusements, in the case of racing meetings under this chapter); revised, 1939, 159; amended, 1941, 295; first paragraph amended, 1951, 777 § 2; paragraph added at end, 1948, 437. (See 1935, 471 § 2.)

SECT. 13B added, 1937, 322 (prohibiting and penalizing the use of drugs for the purpose of affecting the speed of horses at horse racing meetings); revised, 1958, 86.

SECT. 13C added, 1950, 111 (penalizing attempts to influence persons connected with horse or dog racing to affect the result of a race).

SECT. 14 revised, 1935, 279 § 2; 1936, 253 § 2; amended, 1938, 282; revised, 1947, 138 § 2. (See 1935, 279 § 3; 1936, 253 § 1.)

SECT. 14A added, 1935, 279 § 1 (providing for the resubmission to the voters of the several counties of the question of licensing dog races at which the pari-mutuel system of betting shall be permitted); repealed, 1936, 253 § 1. (See 1935, 279 § 3; 1936, 253 § 1.)

SECT. 14B added, 1953, 389 (providing for the submission to the voters of Berkshire County of the question of licensing horse races at county fairs at which the pari-mutuel system of betting shall be permitted).

SECT. 14C added, 1955, 406 (providing for the submission to the voters of Hampshire County of the question of licensing horse races at county fairs at which the pari-mutuel system of betting shall be permitted).

SECT. 15 revised, 1936, 436 § 2; 1941, 729 § 12; amended, 1947, 390 § 2; revised, 1948, 319; 1955, 540 § 2. (See 1936, 436 § 4; 1941, 729 § 15; 1955, 540 §§ 5-7.)

Chapter 128B. — Conservation of Soil and Soil Resources and Prevention and Control of Erosion.

New chapter inserted, 1945, 531.

SECT. 2, paragraph (2) revised, 1947, 73 § 1.

SECT. 3, first paragraph revised, 1955, 307 § 1; third paragraph, sub-

division 1 revised, 1956, 513 § 1; subdivision 5 revised, 1949, 517; subdivision 9 added, 1956, 513 § 2. (See 1955, 307 § 2.)

SECT. 5 revised, 1947, 73 § 2; 1954, 244.

SECT. 7, subdivision 1 revised, 1956, 513 § 3; subdivisions 3 and 4 revised, 1956, 513 § 4; subdivision 6 revised, 1956, 513 § 5.

**Chapter 129. — Livestock Disease Control (former title, Animal Industry).
Title changed, 1941, 491 § 35.**

SECT. 1 revised, 1934, 340 § 12; paragraph (defining "Domestic animals") added, 1935, 70. (See 1934, 340 § 18.)

SECT. 8A added, 1941, 375 (establishing a scale of fees for the inoculation of swine against hog cholera).

SECT. 9 amended, 1943, 332 § 10.

SECT. 10 amended, 1934, 340 § 13. (See 1934, 340 § 18.)

SECT. 14A added, 1953, 19 § 1 (providing for co-operation with the federal government in the eradication of certain animal diseases). (See 1953, 19 § 2); section stricken out and sections 14A and 14B inserted, 1953, 655 § 2 (providing for the eradication of certain animal diseases). (See 1953, 655 § 1.)

SECT. 15 revised, 1941, 162.

SECT. 26A revised, 1938, 168; amended, 1941, 173.

SECT. 26B added, 1957, 337 (relative to the control of disease in the purchase, sale and transportation of live poultry and hatching eggs).

SECT. 29 amended, 1938, 308.

SECT. 32 amended, 1939, 451 § 54.

SECT. 33 amended, 1934, 272; 1946, 417; revised, 1952, 519.

SECT. 33B revised, 1934, 96; 1954, 647 § 1. (See 1954, 647 § 4.)

SECT. 33B stricken out and sections 33B-33D inserted, 1956, 527 § 1 (relative to the control and eradication of brucellosis in bovine animals). (See 1956, 527 § 5.)

SECT. 36A added, 1935, 426 (providing for the licensing of certain dealers in bovine animals); repealed, 1941, 607 § 2.

SECT. 36B added, 1938, 314 (providing for the vaccination of certain cattle to curtail the spread of Bang's disease, so called); revised, 1943, 56; 1952, 518; 1954, 647 § 2; 1956, 527 § 2. (See 1956, 527 § 5.)

SECT. 36C added, 1938, 386 (regulating the transportation of neat cattle); repealed, 1941, 607 § 2.

SECTS. 36D and 36E added, 1954, 647 § 3 (prohibiting the importation or transportation of certain cattle unless tested and vaccinated for brucellosis); revised, 1956, 527 § 3. (See 1954, 647 § 4; 1956, 527 §§ 5, 6.)

SECTS. 36F and 36G added, 1956, 527 § 4 (relative to the testing of cattle for brucellosis).

SECT. 36F revised, 1958, 449.

SECT. 38 revised, 1934, 340 § 14. (See 1934, 340 § 18.)

SECTS. 39-43 added, 1941, 607 § 1 (to further regulate the dealing in and transportation of bovine animals and to prevent the spread of disease among such animals).

SECT. 40 revised, 1946, 416 § 1.

SECT. 43 revised, 1946, 416 § 2.

Chapter 129A. — Marine Fish and Fisheries, Inland Fish and Fisheries, Birds and Mammals, General Provisions.

New chapter inserted, 1933, 329 § 1.

SECT. 1, definition of "Warden" revised, 1937, 413 § 2; definitions of "Coastal Warden", "Deputy Coastal Warden" and "Supervisor", revised, 1939, 491 § 11. (See 1937, 413 §§ 3, 4; 1939, 491 § 12.)

SECT. 10, sentence added at end, 1941, 171.

Chapter 129A repealed in part, 1941, 598 § 7; entirely repealed, 1941, 599 § 1. (See 1941, 598 § 9, 599 § 7.)

Chapter 130. — Marine Fish and Fisheries (former title, Marine Fish and Fisheries, including Crustacea and Shellfish).

Chapter stricken out, and new chapter 130 (with new title) inserted, 1933, 329 § 2.

Chapter stricken out, and new chapter 130 (with new title) inserted, 1941, 598 § 1. (See 1941, 598 § 9.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to chapter 130, as so inserted:

SECT. 1, definition of "Canned lobster meat or crab meat" inserted, 1956, 512; definition of "Fish" amended, 1945, 98 § 1; last paragraph revised, 1945, 98 § 2.

SECT. 2, second paragraph revised, 1949, 566 § 1; amended, 1950, 628 § 1; revised, 1951, 360; last paragraph revised, 1945, 98 § 3.

SECT. 13, third paragraph revised, 1949, 566 § 2.

SECT. 15A added, 1945, 281 (providing for reciprocal enforcement of laws relating to marine fisheries).

SECT. 20, two paragraphs added at end, 1948, 430 § 1. (See 1948, 430 §§ 2, 3.)

SECT. 22 revised, 1952, 501 § 1.

SECT. 31 amended, 1945, 98 § 4.

SECT. 33 amended, 1945, 98 § 5.

SECT. 37, paragraph contained in lines 10 and 11 amended, 1943, 149; same paragraph revised, 1943, 533 § 1; 1948, 76 § 1. (See 1943, 533 § 2.)

SECT. 37A added, 1958, 281 (relative to the taking of green crabs).

SECT. 39 amended, 1959, 150.

SECT. 40 revised, 1951, 194; amended, 1954, 248.

SECT. 42, last sentence amended, 1945, 242 § 15.

SECT. 43, second and third sentences revised, 1949, 566 § 3; last sentence amended, 1945, 242 § 16; section revised, 1959, 153.

SECT. 44 revised, 1950, 423 § 1, 628 § 2; 1951, 408 § 1; 1953, 156; amended, 1959, 151. (See 1951, 408 § 2.)

SECT. 55 amended, 1951, 281; 1952, 182.

SECT. 69 amended, 1945, 98 § 6; revised, 1959, 201.

SECT. 74, first paragraph amended, 1948, 463; sentence added at end, 1945, 99 § 1; section revised, 1954, 243 § 1. (See 1954, 243 § 2.)

SECT. 74A added, 1956, 288 § 1 (authorizing the department of public health immediately to designate shellfish areas as contaminated in the event of emergencies).

SECT. 75 amended, 1956, 288 § 2.

SECT. 76, paragraph inserted after third paragraph, 1948, 365.

SECT. 80, third paragraph amended, 1945, 98 § 7.

SECT. 81, first sentence amended and sentence inserted after first sentence, 1955, 711; sentence added at end, 1945, 99 § 2.

SECT. 82, sentence added at end, 1945, 99 § 3.

SECT. 87 amended, 1954, 186.

SECT. 96 revised, 1954, 167.

SECT. 100 amended, 1945, 264 § 1.

SECTS. 100A and 100B added, 1945, 264 § 2 (making permanent the law protecting striped bass). For prior temporary legislation see 1941, 421.

SECT. 100B revised, 1947, 515.

SECT. 100C added, 1959, 206 (regulating the methods of taking shad).

Chapter 131. — Powers and Duties of the Division of Fisheries and Game
(former title, **Games and Inland Fisheries**).

Chapter stricken out, and new chapter 131 (with new title) inserted, 1941, 599 § 2. (See 1941, 599 §§ 5-7.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to chapter 131, as so inserted:

SECT. 1, definition of "Birds" revised, 1941, 663 § 1; definition of "Coastal waters" inserted, 1954, 92; definition of "Green pelt" inserted, 1948, 615 § 1; definition of "Loaded shotgun or rifle" inserted, 1945, 83; definition of "Mammals" revised, 1941, 663 § 2; definition of "Trap" inserted, 1948, 615 § 2; revised, 1950, 136. (See 1941, 663 § 3.)

SECT. 3A added, 1945, 548 § 1 (establishing the inland fisheries and game fund). (See 1945, 548 § 3.)

SECT. 5 amended, 1947, 245 § 1; first paragraph amended, 1957, 688 § 1A; revised, 1959, 498; paragraph added at end, 1947, 245 § 2.

SECT. 6 revised, 1948, 302 § 1; first sentence amended, 1949, 545; fourth sentence stricken out, 1955, 209; next to last sentence revised, 1953, 218 § 1. (See 1953, 218 § 2.)

SECT. 7 revised, 1954, 457 § 1; first paragraph revised, 1957, 688 § 1B; fourth paragraph amended, 1957, 688 § 1C. (See 1954, 457 § 2.)

SECT. 8, last paragraph of clause (1) revised, 1943, 265; amended, 1950, 233; section revised, 1951, 405 § 1; eighth paragraph of clause (1) revised, 1952, 454 § 1; sixth paragraph of clause (2) revised, 1952, 305 § 1; section revised, 1959, 333 § 1; last paragraph of clause (1) revised, 1959, 466. (See 1951, 405 § 2; 1952, 454 § 2, 305 § 2; 1959, 333 § 2.)

SECT. 8A added, 1949, 516 (authorizing the granting of fishing licenses to certain aliens); revised, 1955, 292.

SECT. 14, paragraph inserted after fifth paragraph, 1948, 400; same paragraph revised, 1951, 399; paragraph contained in lines 65-73 amended, 1943, 216 § 1; paragraph contained in lines 74-86 amended, 1943, 216 § 2.

SECT. 16 revised, 1947, 193; first sentence revised, 1954, 88; two sentences added at end, 1948, 302 § 2; next to last sentence revised, 1950, 259.

SECT. 16A added, 1955, 647 (relative to the revocation of hunting, fishing and trapping licenses); revised, 1959, 175.

- SECT. 25 revised, 1951, 535.
- SECT. 26, sentence added at end, 1948, 443.
- SECT. 28 revised, 1952, 501 § 2.
- SECT. 34 revised, 1945, 693 § 2.
- SECT. 40A added, 1946, 79 (penalizing the use of artificial bait in ice fishing elsewhere than in the Connecticut river); repealed, 1953, 224.
- SECT. 41, last sentence amended, 1957, 116.
- SECT. 41A added, 1956, 420 (relative to permits for the netting of certain fish in the inland waters of the commonwealth).
- SECT. 45, table amended, 1948, 109 § 1; revised, 1952, 378 § 1; next to last paragraph amended, 1948, 109 § 2; 1952, 378 § 2; section revised, 1953, 478 § 1. (See 1953, 478 § 2.)
- SECT. 45A added, 1954, 99 (regulating the taking of trout in coastal waters).
- SECT. 48 amended, 1948, 110; first sentence revised, 1948, 343; amended, 1957, 264.
- SECT. 51, first paragraph revised, 1957, 688 § 2.
- SECT. 52 amended, 1957, 688 § 3.
- SECT. 53 amended, 1947, 172; revised, 1958, 440.
- SECT. 53A added, 1948, 249 (providing for a close season on all birds and mammals during certain periods); revised, 1950, 234; amended, 1959, 41.
- SECT. 57 revised, 1953, 21.
- SECT. 59, third paragraph amended, 1957, 105.
- SECT. 61A added, 1945, 232 (protecting the wood duck); repealed, 1951, 217.
- SECT. 64 revised, 1953, 481 § 1. (See 1953, 481 § 2.)
- SECT. 65 amended, 1951, 254; sentence added at end, 1952, 171; section revised, 1953, 481 § 1. (See 1953, 481 § 2.)
- SECT. 68 amended, 1943, 90; revised, 1948, 615 § 3; 1949, 758 § 1; first sentence revised, 1951, 294 § 1; clause (b) revised, 1950, 107; 1951, 294 § 2; clause (c) revised, 1951, 294 § 3; clause (k) amended, 1951, 294 § 4; clause (l) amended, 1950, 138; section revised, 1953, 482 § 1. (See 1953, 482 § 2.)
- SECT. 68A added, 1948, 615 § 4 (relative to the registration and identification of animal traps); revised, 1949, 758 § 2.
- SECT. 70 amended, 1948, 615 § 5.
- SECT. 72 repealed, 1949, 758 § 3.
- SECT. 76 repealed, 1949, 758 § 3.
- SECT. 78, first sentence amended, 1947, 275; first paragraph revised, 1949, 304.
- SECT. 78 stricken out and sections 78-78F inserted, 1950, 438 (further regulating the taking and hunting of birds and mammals).
- SECT. 79 revised, 1949, 282.
- SECT. 80 revised, 1953, 480 § 1. (See 1953, 480 § 2.)
- SECT. 80A added, 1953, 241 § 1 (requiring the tagging of deer taken). (See 1953, 241 § 2.)
- SECT. 81 revised, 1952, 284.
- SECT. 82, sentence added at end, 1953, 115.
- SECT. 83, paragraph added at end, 1949, 751; section revised, 1955, 509.
- SECTS. 85A-85C added, 1951, 353 (relative to the use of firearms).
- SECT. 85C amended, 1957, 40.
- SECT. 86 revised, 1956, 254 § 1.

SECT. 88, sentence added at end, 1959, 265 § 1.

SECT. 88A added, 1959, 265 § 2 (relative to the molesting, attacking or killing of deer by dogs in Berkshire County).

SECT. 89 amended, 1947, 363.

SECT. 92 revised, 1957, 320.

SECT. 97 repealed, 1945, 12.

SECT. 97A added, 1943, 463 (relative to the disposition by counties of revenue received from the federal government by reason of federal wild-life refuges situated therein); repealed, 1945, 12.

SECT. 98 revised, 1956, 254 § 2.

SECT. 101 revised, 1943, 100.

SECT. 101A added, 1946, 334 (penalizing the use of certain firearms for hunting purposes).

SECT. 103, paragraph (2) amended, 1946, 333; tenth paragraph revised, 1951, 429.

SECT. 105, first paragraph amended, 1959, 243.

SECT. 105A added, 1950, 424 (relative to the breeding and raising of mink).

SECT. 107, fifth paragraph amended, 1957, 350 § 1; next to last paragraph revised, 1948, 327; amended, 1957, 350 § 2; last paragraph revised, 1957, 350 § 3.

SECT. 109 revised, 1959, 244.

SECT. 111, paragraph added at end, 1946, 412; section revised, 1947, 397; first sentence revised, 1952, 349.

SECT. 112, last sentence revised, 1950, 235; sentence added at end, 1955, 524 § 1.

SECT. 112A added, 1955, 524 § 2 (authorizing the director of the division of fisheries and game to issue permits to certain licensed organizations to shoot game birds at certain field trials without licenses).

SECT. 117A added, 1949, 507 (relative to the draining of certain ponds, reservoirs and other bodies of water).

Chapter 132. — Forestry.

For temporary legislation relative to suppression of the gypsy moth, see 1952, 622.

SECT. 1 amended, 1937, 415 § 2; 1941, 490 § 36; 1947, 344 § 26; 1948, 660 § 2. (See 1948, 660 § 26.)

SECT. 1A added, 1948, 660 § 3 (relative to the duties of the chief moth superintendent); amended, 1949, 761 § 1.

SECT. 4 revised, 1948, 660 § 4; amended, 1949, 761 § 2.

SECT. 5 repealed, 1932, 180 § 27.

SECT. 6 revised, 1941, 455; amended, 1952, 363.

SECT. 8 revised, 1948, 660 § 5; 1949, 761 § 3; 1956, 657 § 2.

SECT. 9 revised, 1952, 308 § 1.

SECT. 11 revised, 1937, 415 § 3; 1948, 660 § 6; first sentence amended, 1949, 761 § 4; 1950, 422; 1955, 340; section revised, 1956, 657 § 3.

SECT. 11A added, 1952, 480 § 1 (relative to elimination of white pine blister rust by department of conservation); revised, 1956, 657 § 4. (See 1952, 480 § 3.)

SECT. 12 amended, 1937, 415 § 4; revised, 1948, 660 § 7; 1956, 657 § 5.

SECT. 12A added, 1945, 401 (relative to suppression of gypsy moths, etc., on land of the commonwealth); revised, 1948, 660 § 8; 1949, 761 § 5; 1956, 657 § 6.

SECT. 13 revised, 1935, 87; amended, 1937, 415 § 5; revised, 1948, 660 § 9; last sentence stricken out and two sentences inserted, 1949, 761 § 6; last sentence revised, 1950, 694 § 1; section revised, 1956, 657 § 7.

SECT. 14 revised, 1937, 415 § 6; revised, 1948, 660 § 10; third paragraph revised, 1949, 761 § 7; amended, 1950, 694 § 2; revised, 1951, 488; sixth paragraph revised, 1949, 761 § 8; section revised, 1956, 657 § 8.

SECT. 15 revised, 1948, 660 § 11; 1956, 657 § 9.

SECT. 16 revised, 1948, 660 § 12; 1956, 657 § 10.

SECT. 17 amended, 1937, 415 § 6A; last sentence revised, 1946, 432 § 10; section revised, 1948, 660 § 13; 1956, 657 § 11.

SECT. 18 amended, 1937, 415 § 6B; revised, 1948, 660 § 14; repealed, 1956, 657 § 12.

SECT. 18A added, 1949, 174 (authorizing municipalities to form districts and pool expenditures for the suppression of certain insect pests); first paragraph revised, 1952, 489 § 1; section repealed, 1956, 657 § 12.

SECT. 18B added, 1949, 211 (authorizing counties to engage in the work of suppression of certain insect pests); revised, 1952, 489 § 2; repealed, 1956, 657 § 12.

SECT. 19 revised, 1948, 660 § 15; repealed, 1956, 657 § 12.

SECT. 20 repealed, 1956, 657 § 12.

SECT. 21 repealed, 1956, 657 § 12.

SECT. 22 amended, 1937, 415 § 7; revised, 1948, 660 § 16; repealed, 1956, 657 § 12.

SECT. 23 revised, 1948, 660 § 17; repealed, 1956, 657 § 12.

SECT. 24 revised, 1948, 660 § 18; repealed, 1956, 657 § 12.

SECT. 25 revised, 1937, 415 § 8; 1948, 660 § 19; amended, 1949, 761 § 9; revised, 1956, 657 § 13.

SECT. 26 amended, 1937, 415 § 9; revised, 1948, 660 § 20; sentence added at end, 1954, 118; section repealed, 1956, 657 § 14.

SECTS. 26A-26D added, 1949, 761 § 10 (relative to the eradication of the Dutch elm disease).

SECT. 26A revised, 1956, 657 § 15.

SECT. 26B repealed, 1956, 657 § 16.

SECT. 26C amended, 1950, 694 § 3; repealed, 1956, 657 § 16.

SECT. 26D revised, 1952, 489 § 3; 1956, 657 § 17.

SECTS. 26E-26G added, 1956, 657 § 18 (relative to the condemnation, removal and destruction of trees infected with Dutch elm disease).

SECT. 27 amended, 1937, 415 § 10; revised, 1948, 660 § 21; repealed, 1956, 657 § 19.

SECT. 28 amended, 1937, 415 § 11; revised, 1948, 660 § 22; repealed, 1956, 657 § 19.

SECT. 29 repealed, 1948, 660 § 23.

SECT. 30, last sentence revised, 1945, 514.

SECT. 33 amended, 1935, 373; 1936, 415 § 1.

SECT. 34, new paragraph added at end, 1935, 233.

SECT. 34A, first paragraph revised, 1950, 574; paragraph added at end, 1947, 366.

SECT. 35 amended, 1952, 308 § 2.

SECT. 36 revised, 1936, 415 § 2.

SECT. 36A added, 1945, 27 (relative to the acquisition by prescription or adverse possession of title to lands of the commonwealth under control of the department of conservation).

SECTS. 40-45 added, under caption "FOREST CUTTING PRACTICES", 1943, 539.

SECTS. 42, 43 and 44 revised, 1952, 427.

SECT. 46 added, 1957, 652 (requiring a license for the harvesting of timber or other forest products for hire or profit on land devoted to forest purposes).

Chapter 132A. — State Recreation Areas outside of the Metropolitan Parks District (former title, State Parks and Reservations outside of the Metropolitan Parks District).

Title changed, 1954, 419 § 1.

SECT. 1 amended, 1954, 419 § 2. (See 1954, 419 § 6.)

SECT. 2 amended, 1941, 490 § 37; 1954, 419 § 3. (See 1954, 419 § 6.)

SECTS. 2A-2D added, 1958, 656 § 1 (providing for the development of state parks, state forest recreation areas and state reservations by the department of natural resources).

SECT. 3, first sentence revised, 1955, 672; 1958, 656 § 2.

SECT. 3A added, 1958, 656 § 3 (relative to the taking of certain lands by the department of natural resources).

SECT. 4 amended, 1954, 419 § 4; 1958, 640 § 10. (See 1954, 419 § 6.)

SECT. 5 amended, 1946, 432 § 11.

SECT. 7 revised, 1941, 722 § 11.

SECT. 9 amended, 1933, 75 § 4.

SECT. 10 added, 1954, 419 § 5 (establishing the State Recreation Areas Fund). (See 1954, 419 § 6.)

Chapter 135. — Unclaimed and Abandoned Property.

SECT. 1 revised, 1947, 441 § 1.

SECTS. 2-4 repealed, 1947, 441 § 2.

SECT. 8 amended, 1938, 98 § 1.

SECT. 9 amended, 1938, 98 § 3.

SECT. 11 amended, 1938, 98 § 2.

Chapter 136. — Observance of the Lord's Day.

SECT. 2 amended, 1933, 150 § 1; 1934, 63; 1935, 78; 1946, 207 § 1; 1955, 255 § 1; amended, 1956, 11; revised, 1956, 212, 256.

SECT. 3 revised, 1955, 255 § 2.

SECT. 4 amended, 1945, 575; revised, 1953, 596; 1954, 303; amended, 1956, 157; first sentence revised, 1957, 300; sentence added at end, 1955, 742.

SECT. 4A added, 1933, 150 § 2 (relative to the licensing of certain enterprises to be held on the Lord's day at amusement parks and beach resorts); revised, 1933, 309 § 1; sentence added at end, 1946, 207 § 2. (See 1933, 309 § 2.)

SECT. 4B added, 1946, 207 § 3 (relative to the licensed operation on the Lord's day of bowling alleys).

SECT. 6, second and third paragraphs amended, 1934, 328 § 7; fourth paragraph amended, 1932, 96; 1934, 354; paragraph added at end, 1933, 150 § 3; section revised, 1934, 373 § 6; second paragraph amended, 1955, 304; revised, 1957, 356 § 16; third paragraph amended, 1936, 129; 1937, 286; 1950, 256 § 1; fourth paragraph amended, 1938, 143; same paragraph revised, 1943, 473; 1950, 681; 1951, 504; 1954, 217; 1957, 356 § 17; last paragraph revised, 1946, 207 § 4; paragraph added at end, 1949, 190; 1950, 322.

SECT. 7 amended, 1934, 328 § 8; revised, 1934, 373 § 7; 1957, 356 § 18.

SECT. 8 amended, 1937, 124.

SECT. 9 amended, 1953, 108.

SECT. 13 amended, 1932, 105.

SECT. 17, sentence added at end, 1933, 150 § 4; section amended, 1934, 55; revised, 1938, 60; last sentence revised, 1955, 524 § 3.

SECT. 19 repealed, 1950, 256 § 2.

SECT. 21 revised, 1935, 104, 169; 1946, 318 § 1; amended, 1948, 119; revised, 1951, 32; 1954, 132. (See 1946, 318 § 2.)

SECT. 22. See 1933, 136; 1935, 49.

Chapter 138. — Alcoholic Liquors (Old Title, Intoxicating Liquors and Certain Non-Intoxicating Beverages).

Chapter stricken out, and new chapter 138 inserted, 1933, 376 § 2.

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to chapter 138, as so inserted:

SECT. 1, new paragraph (definition of "Alcohol") added, 1935, 440 § 1; definition of "Restaurant" amended, 1936, 368 § 1; eighth paragraph (definition of "Club") revised, 1934, 385 § 1; definition of "Tavern" amended, 1934, 121 § 1; 1935, 253 § 1; definition of "Wines" revised, 1941, 637 § 1. (See 1941, 637 § 3.)

SECT. 2 amended, 1934, 305, 372 § 4; 1935, 440 § 2; first sentence revised, 1939, 470 § 1; 1943, 542 § 1.

SECT. 3 amended, 1935, 440 § 3.

SECT. 4 amended, 1934, 385 § 2; 1958, 80.

SECT. 7 amended, 1935, 440 § 4.

SECT. 10 amended, 1935, 440 § 5.

SECT. 10A revised, 1943, 542 § 2.

SECT. 10B added, 1934, 370 § 11 (authorizing the alcoholic beverages control commission to remove a member of a local licensing board under certain conditions).

SECT. 11 revised, 1936, 207 § 1; 1947, 138 § 3. (See 1935, 281.)

SECT. 11A(first paragraph amended, 1934, 142 § 1; paragraph inserted, 1934, 142 § 2; paragraph added at end, 1934, 142 § 3; section revised, 1934, 211 § 1; last paragraph stricken out, 1935, 440 § 6; section revised, 1951, 208. (See 1934, 142 § 4, 211 § 2.)

SECT. 12, first paragraph amended, 1934, 121 § 2; last sentence of first paragraph revised, 1934, 370 § 1; second paragraph amended, 1934, 121 § 2; sentence contained in lines 42-53 revised, 1934, 370 § 2; section revised, 1934, 385 § 3; first paragraph amended, 1935, 253 § 2; revised, 1935, 440 § 7; new paragraph inserted after first paragraph, 1935, 253

§ 3; proviso contained in lines 46-48 stricken out, 1935, 253 § 4; third paragraph revised, 1935, 440 § 8; next to last paragraph stricken out, 1935, 440 § 9; section revised, 1935, 468 § 1; first paragraph amended, 1936, 207 § 2; second sentence of first paragraph amended, 1949, 391; last sentence of first paragraph revised, 1937, 331; 1943, 542 § 3; second paragraph revised, 1936, 368 § 2; amended, 1943, 542 § 4; paragraph inserted after third paragraph, 1948, 649; fourth paragraph, as appearing in 1935, 468 § 1, amended, 1959, 480; sixth paragraph amended, 1955, 336; paragraph added at end, 1937, 264. (See 1943, 542 § 20.)

SECT. 12A added, 1950, 372 (relative to the renewal of licenses to sell liquor in restaurants).

SECT. 13, last two sentences stricken out, 1934, 385 § 4; section revised, 1935, 440 § 10.

SECT. 14 amended, 1934, 370 § 3; paragraph added at end, 1935, 440 § 11.

SECT. 15, first paragraph amended, 1934, 385 § 5; revised, 1935, 440 § 12; last paragraph revised, 1934, 370 § 4; last sentence revised, 1936, 225 § 1; second paragraph revised, 1938, 353.

SECT. 15A added, 1934, 370 § 5 (relative to the publication of applications for original licenses); revised, 1935, 440 § 13; 1939, 414; amended, 1943, 542 § 5.

SECT. 16 revised, 1936, 368 § 3.

SECT. 16A revised, 1934, 385 § 6; 1937, 424 § 1.

SECT. 16B revised, 1935, 440 § 14; paragraph added at end, 1937, 291; section revised, 1937, 424 § 2; second paragraph revised, 1939, 92; section amended, 1943, 542 § 6.

SECT. 16C added, 1954, 569 § 1 (limiting licenses for the sale of alcoholic beverages near schools and churches). (See 1954, 569 §§ 2, 3.)

SECT. 17, second proviso of first paragraph amended, 1934, 385 § 7; first paragraph amended, 1935, 81; last paragraph revised, 1934, 83; section revised, 1935, 440 § 15; first paragraph amended, 1936, 136, 245; 1937, 14 § 1; second paragraph revised, 1936, 199; paragraph added after the second paragraph, 1936, 368 § 4; section revised, 1937, 424 § 3; paragraph in lines 77-105 amended, 1946, 305; 1953, 310; paragraph in lines 106-118 revised, 1939, 263; paragraph in lines 119-122 revised, 1941, 522; same paragraph amended, 1945, 666; revised, 1950, 222; 1951, 145; paragraph added at end, 1952, 197 § 1. (See 1937, 14 § 2; 1952, 197 § 2.)

SECT. 18, first paragraph revised, 1935, 440 § 16; first sentence revised, 1943, 452 § 7; two paragraphs added, 1934, 385 § 8; paragraph added at end, 1943, 542 § 8.

SECT. 18A added, under caption "SELLING AGENTS OF FOREIGN IMPORTERS AND MANUFACTURERS", 1934, 312; first paragraph revised, 1935, 440 § 17.

SECT. 18B added, 1943, 542 § 9 (relative to the issuance of certificates of compliance to persons licensed outside the commonwealth to export and sell alcoholic beverages to licensees under this chapter).

SECT. 19, first paragraph revised, 1935, 440 § 18; second paragraph amended, 1934, 385 § 9; last paragraph amended, 1934, 385 § 10; 1935, 440 § 19; paragraph added at end, 1936, 368 § 5.

SECT. 19A added, 1934, 385 § 11 (relative to the licensing of salesmen for manufacturers and for wholesalers and importers); revised, 1935, 440 § 20.

SECT. 20 revised, 1934, 385 § 12; first paragraph amended, 1936, 368 § 6; paragraph inserted, 1936, 368 § 7; section revised, 1943, 542 § 10.

SECT. 20A added, 1937, 424 § 4 (relative to granting permits to public warehousemen to store and warehouse alcoholic beverages); amended, 1953, 654 § 95.

SECT. 21 revised, 1934, 385 § 13; first paragraph amended, 1935, 440 § 21; first six paragraphs revised, 1936, 411 § 1; 1939, 367 § 1; first paragraph (as appearing in 1939, 367 § 1) amended, 1943, 542 § 11; third paragraph (as so appearing) stricken out and two new paragraphs inserted, 1941, 637 § 2; sixth paragraph (as so appearing) revised, 1943, 36; first seven paragraphs stricken out and eight paragraphs inserted, 1947, 625 § 1; next to the last paragraph (as appearing in 1934, 385 § 13) amended, 1936, 368 § 8; last paragraph (as so appearing) revised, 1939, 451 § 55; paragraph added at end, 1939, 394; same paragraph stricken out and two paragraphs inserted, 1947, 524; section amended, 1953, 654 § 96; revised, 1954, 402; amended, 1955, 421 § 1; three sentences in lines 59-73 revised, 1957, 374 § 1; paragraph in lines 96-101 revised, 1957, 374 § 2; sentence added at end, 1955, 421 § 2. [For temporary additional excise, 1939, 434; 1941, 339; 1943, 423; 1945, 546; 1949, 674; 1951, 386 § 7; 1955, 495 § 1; 1957, 456 § 12; 1959, 31 § 11. Additional excise, 1945, 731 § 11; 1953, 246 § 11.] (See 1936, 411 § 2; 1939, 367 § 2; 1941, 637 § 3; 1947, 625 §§ 3, 4.)

SECT. 22 revised, 1934, 385 § 14; 1935, 440 § 22; third paragraph revised, 1956, 105; fourth and fifth paragraphs stricken out and new paragraph inserted, 1937, 418.

SECT. 22A added, 1934, 385 § 15 (providing for the granting by the alcoholic beverages control commission in certain cases of permits to sell alcoholic beverages); sentence added at end, 1955, 322.

SECT. 23, sentence added at end of fourth paragraph, 1934, 370 § 6; last paragraph amended, 1934, 245; section revised, 1934, 385 § 16; fifth paragraph amended, 1935, 253 § 5; last four paragraphs stricken out, and five new paragraphs inserted, 1935, 440 § 23; second of the paragraphs so inserted revised, 1941, 578; fourth paragraph revised, 1938, 238; sentence added at end of next to last paragraph, 1939, 470 § 2; section revised, 1943, 542 § 12; paragraph added at end, 1955, 652.

SECT. 23A added, 1945, 215 (authorizing the alcoholic beverages control commission to take action to eliminate unfair competition and other trade abuses in the sale of alcoholic beverages); revised, 1950, 780.

SECT. 23B added, 1955, 382 (permitting holders of alcoholic beverages licenses to retain said licenses when the licensed premises have been taken by public necessity); amended, 1958, 514.

SECT. 24, first sentence amended, 1934, 232; section revised, 1943, 542 § 13; first sentence revised, 1952, 426.

SECTS. 25A and 25B added, 1946, 304 (prohibiting discrimination between licensees authorized to sell alcoholic beverages by eliminating the practice of granting special inducements to favored licensees).

SECT. 25B, paragraph (e) revised, 1950, 261.

SECT. 26C added, 1952, 385, 567 § 1 (relative to the elimination of certain trade abuses). (See 1952, 567 § 2.)

SECT. 26, first paragraph amended, 1935, 440 § 24.

SECT. 27 revised, 1934, 301 § 1; amended, 1934, 385 § 23; revised, 1935, 442; amended, 1936, 436 § 3; revised, 1936, 438; 1941, 729 § 13; 1947, 625 § 2; first sentence revised, 1955, 540 § 3. (See 1936, 436 § 4; 1941, 729 § 15; 1947, 625 § 4; 1955, 540 §§ 5, 6, 7.)

- SECT. 28 amended, 1934, 112.
- SECT. 29 revised, 1935, 440 § 25; second paragraph amended, 1956, 283 § 1. (See 1956, 283 § 2.)
- SECT. 30 amended, 1935, 83 § 1; 1943, 542 § 14. (See 1935, 83 § 2.)
- SECT. 30A revised, 1934, 370 § 7; 1935, 440 § 26.
- SECT. 30B amended, 1935, 440 § 27; paragraph added at end, 1936, 368 § 9.
- SECT. 30D amended, 1935, 440 § 28.
- SECT. 30E, first paragraph amended, 1935, 440 § 29.
- SECT. 30F revised, 1935, 440 § 30.
- SECT. 30G amended, 1935, 440 § 31.
- SECT. 30H added, 1935, 440 § 32 (possession or transportation of alcoholic beverages or alcohol under certain circumstances deemed prima facie evidence of violation of law).
- SECT. 31 amended, 1935, 440 § 33; revised, 1936, 368 § 10.
- SECT. 32 amended, 1934, 370 § 8.
- SECT. 33 revised, 1934, 370 § 9; amended, 1935, 468 § 2; last sentence revised, 1936, 225 § 2; section amended, 1937, 268; 1941, 356.
- SECT. 34 amended, 1935, 440 § 34; revised, 1936, 171; 1937, 424 § 5; amended, 1943, 542 § 15.
- SECT. 34A added, 1935, 146 (relative to procuring by false representation sales or delivery of alcoholic beverages to minors); revised, 1935, 440 § 35.
- SECT. 36 amended, 1934, 385 § 17.
- SECT. 37 revised, 1934, 385 § 18.
- SECT. 38 amended, 1941, 199.
- SECT. 40 amended, 1959, 313 § 1.
- SECTS. 42-55 affected, 1935, 440 § 36.
- SECT. 42, first paragraph amended, 1959, 313 § 2; paragraph added at end, 1935, 440 § 36.
- SECT. 46 amended, 1934, 370 § 10; 1935, 440 § 37.
- SECT. 47 amended, 1959, 313 § 3.
- SECT. 50 amended, 1959, 313 § 4.
- SECT. 51 amended, 1959, 313 § 5.
- SECT. 52 amended, 1959, 313 § 6.
- SECT. 53 amended, 1959, 313 § 7.
- SECT. 54 amended, 1959, 313 § 8.
- SECT. 56 revised, 1935, 440 § 38; 1936, 368 § 11.
- SECT. 57 revised, 1936, 368 § 12.
- SECT. 62 amended, 1935, 440 § 39.
- SECT. 63, first sentence revised, 1934, 385 § 19; section revised, 1935, 440 § 40; 1936, 368 § 13.
- SECT. 63A revised, 1935, 440 § 41; 1943, 542 § 16.
- SECT. 64 revised, 1934, 385 § 20.
- SECT. 65 revised, 1943, 542 § 17.
- SECT. 67 amended, 1934, 385 § 21; revised, 1935, 440 § 42; amended, 1938, 400; first paragraph amended, 1943, 542 § 18; section revised, 1953, 672; last two paragraphs stricken out and three paragraphs inserted, 1954, 574; paragraph inserted after fifth paragraph, 1955, 461.
- SECT. 70 revised, 1934, 301 § 2; 1945, 598.
- SECT. 71 amended, 1953, 654 § 97.
- SECTS. 72-75 repealed, 1934, 372 § 1.

SECT. 76 revised, 1934, 372 § 2; next to last sentence revised, 1934, 385 § 22; section revised, 1935, 440 § 43.

SECT. 77 revised, 1943, 542 § 19.

Chapter 139. — Common Nuisances.

SECT. 2, sentence added at end, 1945, 697 § 5.

SECT. 14, caption amended, 1934, 328 § 9; section amended, 1934, 328 § 10.

SECT. 16 amended, 1934, 328 § 11.

SECT. 16A amended, 1934, 328 § 12.

SECT. 17 repealed, 1934, 328 § 13.

SECT. 19 amended, 1934, 328 § 14.

SECT. 20 amended, 1934, 328 § 15; 1948, 132.

Chapter 140. — Licenses.

SECT. 4 amended, 1934, 171 § 1. (See 1959, 250.)

SECT. 6 amended, 1937, 424 § 6; revised, 1941, 439 § 1.

SECT. 6A added, 1937, 424 § 7 (providing for the granting of common victuallers' licenses and licenses to sell alcoholic beverages upon condition that licensed premises are equipped and furnished according to plans and estimates approved in advance); repealed, 1941, 439 § 2.

SECT. 8 amended, 1936, 368 § 14; revised, 1943, 328.

SECT. 9A added, 1939, 431 (relative to the keeping of the premises of common victuallers open for business).

SECT. 10 amended, 1935, 167.

SECT. 12 revised, 1932, 86; 1933, 92; 1943, 31.

SECTS. 21E and 21F added, under caption, 1933, 284 (providing for the regulation of organizations dispensing food or beverages to members and guests).

SECT. 21E, last sentence revised, 1934, 328 § 16; affected, 1934, 328 § 17.

SECT. 23 revised, 1952, 577. (See 1959, 250.)

SECT. 26 revised, 1954, 61.

SECT. 27, first sentence amended, 1947, 375; 1950, 326 § 1; 1954, 134 § 1.

SECT. 29 amended, 1953, 135.

SECTS. 32A–32E added, under caption, 1939, 416 (requiring the licensing of recreational camps, overnight camps or cabins and trailer camps); caption preceding section 32A revised, 1950, 326 § 2; 1954, 134 § 2.

SECT. 32A amended, 1950, 326 § 3; 1954, 134 § 3.

SECT. 32B amended, 1941, 396; revised, 1945, 153; first two sentences amended, 1950, 326 § 4; first sentence amended, 1954, 134 § 4; second sentence revised, 1950, 802 § 1. (See 1950, 802 §§ 4, 5.)

SECT. 32C amended, 1950, 326 § 5; 1954, 134 § 5.

SECT. 32D amended, 1950, 326 § 6; 1954, 134 § 6.

SECT. 32E amended, 1950, 326 § 7; 1954, 134 § 7.

SECTS. 32F–32K added, under caption, 1950, 326 § 8 (providing for the regulation of trailer coach parks).

SECT. 32F, sentence added at end, 1950, 802 § 2; paragraph added at end, 1951, 74; amended, 1955, 623; 1956, 162 § 1. (See 1950, 802 §§ 4, 5; 1956, 162 § 2.)

SECT. 32G revised, 1950, 802 § 3; 1952, 583 § 1; 1954, 410. (See 1950, 802 §§ 4, 5; 1952, 583 § 3.)

SECT. 32L added, 1956, 444 (defining a trailer coach).

SECT. 48 repealed, 1937, 342 § 2.

SECT. 51 amended, 1932, 275; 1935, 428 § 3; 1936, 55 § 1; revised, 1941, 626 § 12; amended, 1947, 253. (See 1935, 428 §§ 6, 7; 1936, 55 § 2.)

SECT. 52 amended, 1935, 428 § 4. (See 1935, 428 § 7.)

SECT. 55 amended, 1938, 59.

SECT. 56A added, 1951, 345 (relative to the licensing of shooting galleries).

SECT. 57, sentence added at end, 1952, 103 § 1.

SECT. 58, second paragraph revised, 1948, 181 § 1; definition of "*Class 2*" revised, 1952, 103 § 2.

SECT. 59 amended, 1934, 254 § 1; 1938, 96; revised, 1948, 181 § 2; sentence inserted after tenth sentence, 1957, 308. (See 1934, 254 § 2; 1953, 349.)

SECT. 60 revised, 1948, 201 § 3. (See 1948, 201 § 4.)

SECT. 62 amended, 1948, 181 § 3.

SECT. 65 revised, 1948, 181 § 4.

SECT. 71 revised, 1943, 154.

SECT. 90, three sentences added at end, 1934, 179 § 1; section revised, 1946, 223 § 1. (See 1946, 223 § 2.)

SECTS. 90A-90D added, 1959, 505 § 1 (limiting interest rates on home mortgages). (See 1959, 505 §§ 2-4.)

SECTS. 92 and 93 repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

SECT. 95 revised, 1956, 689 § 1. (See 1956, 689 § 9.)

SECT. 96, sentence added at end, 1934, 179 § 2; section amended, 1941, 158 § 1; 1956, 689 § 2; 1959, 136 § 1. (See 1941, 158 §§ 2, 3; 1956, 689 § 9.)

SECT. 98 amended, 1957, 97.

SECT. 100 amended, 1946, 119; revised, 1946, 174 § 1; 1956, 689 § 4. (See 1946, 174 § 2; 1956, 689 §§ 8A, 9.)

SECT. 108 revised, 1957, 765 § 6. (See 1957, 765 § 21.)

SECT. 110 amended, 1959, 136 § 2; 1956, 689 § 5. (See 1956, 689 § 9.)

SECT. 114A added, 1956, 689 § 8 (further regulating the rate of interest and charges on loans of fifteen hundred dollars or less and relating to certain other loans). (See 1956, 689 § 9.)

SECT. 115 revised, 1948, 550 § 21; 1949, 297 § 7.

SECT. 121 amended, 1934, 359 § 1; revised, 1957, 688 § 4; sentence inserted after third sentence, 1959, 296 § 1.

SECT. 122 revised, 1957, 688 § 5; 1959, 296 § 2.

SECT. 122A revised, 1957, 688 § 6; 1959, 296 § 3.

SECT. 123 revised, 1957, 688 § 7; 1959, 296 § 4.

SECT. 125 amended and sentence added at end, 1957, 688 § 8.

SECT. 126 amended, 1957, 688 § 9; revised, 1958, 49.

SECT. 127 revised, 1957, 688 § 10.

SECT. 128 amended, 1957, 688 § 11.

SECT. 129 amended, 1957, 688 § 12.

SECT. 129A repealed, 1945, 254.

SECT. 130, sentence added at end, 1945, 132; section revised, 1951, 373 § 1; 1957, 688 § 13; 1959, 296 § 5.

SECT. 130A added, 1951, 373 § 2 (further regulating the sale of firearms); repealed, 1957, 688 § 14.

SECT. 131 revised, 1936, 302; amended, 1951, 201; 1953, 319 § 20; sentence added at end, 1953, 454; section revised, 1957, 688 § 15; 1959, 296 § 6. (See 1953, 319 §§ 39, 40.)

SECT. 131A revised, 1957, 688 § 16; 1959, 296 § 7.

SECT. 131B amended, 1957, 688 § 17.

SECT. 131C added, 1934, 246 (prohibiting persons licensed to carry pistols and revolvers from carrying the same in vehicles unless said weapons are under their control therein); amended, 1957, 688 § 18.

SECT. 131D added, 1947, 492 § 5 (relative to the emission of smoke by steam locomotives); repealed, 1954, 672 § 7; caption preceding section stricken out, 1957, 688 § 19.

SECTS. 131E and 131F added, 1957, 688 § 20 (providing a penalty for the unlawful purchasing by a licensee of firearms for another and relative to the issuance of temporary licenses to non-residents).

SECT. 131F revised, 1959, 296 § 8.

SECT. 132 repealed, 1954, 672 § 7.

SECT. 133 amended, 1939, 451 § 56; revised, 1948, 550 § 22; 1949, 297 § 8; repealed, 1954, 672 § 7.

SECT. 134 repealed, 1954, 672 § 7.

SECT. 135 repealed, 1954, 672 § 7.

SECT. 136 revised, 1947, 492 § 6; repealed, 1954, 672 § 7.

SECT. 136A, under caption "dogs", added, 1934, 320 § 1 (definitions of certain words and phrases in sections 137-175); amended, 1943, 111 § 1. (See 1934, 320 § 34.)

SECT. 137 amended, 1932, 289 § 1; revised (and caption stricken out) 1934, 320 § 2; revised, 1943, 111 § 2; 1945, 140; second paragraph amended, 1956, 78 § 1; last two sentences stricken out, 1956, 44 § 1. (See 1934, 320 § 34.)

SECTS. 137A-137C added, 1934, 320 § 3 (relative to kennel licenses and regulating holders of such licenses). (See 1934, 320 § 34.)

SECT. 137A, paragraph added at end, 1937, 95; first paragraph stricken out and three paragraphs inserted, 1943, 111 § 3.

SECT. 137C revised, 1939, 206.

SECT. 137D added, 1948, 329 (prohibiting the issuing of dog licenses to persons convicted of cruelty to animals).

SECT. 138 revised, 1934, 320 § 4; 1938, 92; 1943, 111 § 4. (See 1934, 320 § 34.)

SECT. 139 amended, 1934, 320 § 5; sentence inserted after second sentence, 1956, 44 § 2; sentence added at end, 1939, 23; sentence added at end, 1941, 132. (See 1934, 320 § 34.)

SECT. 140 repealed, 1934, 320 § 6. (See 1934, 320 § 34.)

SECT. 141 revised, 1934, 320 § 7. (See 1934, 320 § 34.)

SECT. 141A added, 1957, 298 § 2 (providing that certain provisions of law relating to dogs shall not apply to chapter 49A of the General Laws).

SECTS. 142-144 repealed, 1934, 320 § 8. (See 1934, 320 § 34.)

SECT. 145 amended, 1932, 289 § 2.

SECT. 145A added, 1932, 289 § 3 (relative to the furnishing of anti-rabic vaccine); revised, 1934, 320 § 9; 1937, 375; last sentence revised, 1939, 42. (See 1934, 320 § 34.)

SECT. 146 revised, 1934, 320 § 10; 1941, 133 § 1. (See 1934, 320 § 34.)

SECT. 147 revised, 1932, 289 § 4; 1934, 320 § 11; amended, 1941, 133 § 2; first sentence revised, 1957, 47. (See 1934, 320 § 34.)

SECT. 148 repealed, 1932, 289 § 6. (See G. L. chapter 41 § 13A, inserted by 1932, 289 § 5.)

SECT. 150 revised, 1934, 320 § 12; 1954, 357. (See 1934, 320 § 34.)

SECT. 151 revised, 1934, 320 § 13; fifth sentence revised, 1948, 11 § 1; sentence inserted after fifth sentence, 1956, 78 § 2.

SECT. 151A added, 1934, 320 § 14 (powers and duties of dog officers under annual warrants from mayors or selectmen); first sentence revised, 1957, 298 § 3; last sentence revised, 1948, 11 § 2; amended, 1957, 48. (See 1934, 320 § 34.)

SECT. 152 revised, 1934, 320 § 15; 1957, 298 § 4. (See 1934, 320 § 34.)

SECT. 153 revised, 1934, 320 § 16; 1957, 298 § 5. (See 1934, 320 § 34.)

SECT. 154 repealed, 1934, 320 § 17. (See 1934, 320 § 34.)

SECT. 155 revised, 1934, 320 § 18. (See 1934, 320 § 34.)

SECT. 156 revised, 1934, 320 § 19; 1951, 156. (See 1934, 320 § 34.)

SECT. 157 revised, 1934, 320 § 20. (See 1934, 320 § 34.)

SECT. 158 revised, 1934, 320 § 21. (See 1934, 320 § 34.)

SECT. 159 revised, 1934, 320 § 22. (See 1934, 320 § 34.)

SECT. 160 revised, 1934, 320 § 23. (See 1934, 320 § 34.)

SECT. 161, first two sentences amended, 1932, 289 § 7; section amended, 1934, 320 § 24. (See 1934, 320 § 34.)

SECT. 161A added, 1934, 320 § 25 (reimbursement for damages by dogs regulated). (See 1934, 320 § 34.)

SECT. 162 revised, 1934, 320 § 26. (See 1934, 320 § 34.)

SECT. 163 amended, 1934, 320 § 27. (See 1934, 320 § 34.)

SECT. 164 amended, 1934, 320 § 28. (See 1934, 320 § 34.)

SECT. 165 revised, 1934, 320 § 29. (See 1934, 320 § 34.)

SECT. 166 amended, 1934, 320 § 30. (See 1934, 320 § 34.)

SECT. 170 amended, 1934, 320 § 31. (See 1934, 320 § 34.)

SECT. 171 revised, 1934, 320 § 32. (See 1934, 320 § 34.)

SECT. 172 revised, 1932, 289 § 8.

SECT. 174 amended, 1953, 319 § 21. (See 1953, 319 §§ 39, 40.)

SECT. 175 revised, 1932, 289 § 9; 1934, 320 § 33; 1943, 93; repealed, 1945, 276 § 2. (See 1934, 320 § 34.)

SECT. 176 revised, 1948, 550 § 23.

SECT. 177A added, under caption, 1949, 361 (relative to the licensing and operation of mechanical amusement devices).

SECT. 179 revised, 1948, 434.

SECTS. 180A–180D added, under caption, 1935, 378 (providing for the licensing and bonding of certain theatrical booking agents, personal agents and managers).

SECT. 180A revised, 1946, 566 § 1; paragraph added at end, 1948, 256; section revised, 1954, 630.

SECT. 180B revised, 1946, 566 § 2.

SECT. 180C revised, 1946, 566 § 3.

SECT. 181. Affected by 1935, 454 § 8.

SECT. 181A added, 1948, 534 (requiring certain entertainers and persons appearing under assumed names to file their true names with the commissioner of public safety).

SECT. 181B added, 1949, 132 (requiring the posting of the schedule of admission prices to travelling entertainments).

SECT. 183A amended, 1935, 102 § 1; 1936, 71 § 1. (See 1935, 102 § 2.)

SECT. 183B repealed, 1936, 71 § 2.

SECT. 183D added, 1951, 216 (requiring common victuallers and others to post minimum charges).

SECT. 184 amended, 1934, 328 § 18.

SECT. 185A amended, 1936, 279; paragraph added at end, 1941, 247.

SECT. 185H added, under caption, 1939, 253 (relative to the licensing and supervision of dancing schools, so called).

SECT. 186 amended, 1936, 169 § 1.

SECT. 187 amended, 1936, 169 § 2.

SECT. 192 revised, 1948, 550 § 24; 1949, 297 § 9.

SECT. 202 revised, 1936, 169 § 3; 1948, 550 § 25; 1949, 297 § 10.

Chapter 141. — Supervision of Electricians.

SECT. 1, first paragraph amended, 1943, 308.

SECT. 2, fourth paragraph stricken out, 1946, 480 § 1.

SECT. 2A added, 1946, 480 § 2 (granting a credit in the examination standing of certain veterans applying for electricians' licenses); revised, 1954, 627 § 29. (See 1954, 627 §§ 41, 65, 67.)

SECT. 3, clause (3) revised, 1954, 190 § 1; clause (4) amended, 1934, 347 § 1; revised, 1959, 312 § 1; clause (5) amended, 1954, 190 § 2; revised, 1959, 312 § 2; clause (8) amended, 1948, 187.

SECT. 8 revised, 1948, 629 § 1. (See 1948, 629 § 2.)

Chapter 142. — Supervision of Plumbing.

SECT. 2 revised, 1958, 332.

SECT. 3, sentence inserted after the first sentence, 1948, 382; sentence added at end, 1958, 263; section revised, 1959, 284.

SECT. 4, first sentence revised, 1947, 382; paragraph added at end, 1946, 502; revised, 1954, 627 § 30. (See 1954, 627 §§ 65, 67.)

SECT. 5 revised, 1954, 200.

SECT. 6 revised, 1934, 347 § 2.

SECT. 11 amended, 1945, 703 § 11; revised, 1954, 627 § 31. (See 1954, 627 §§ 65, 67.)

SECT. 13 amended, 1934, 284; 1954, 157.

SECT. 15 revised, 1952, 112.

SECT. 17 revised, 1936, 234; 1941, 518 § 1; paragraph added at end, 1945, 477; section revised, 1955, 612 § 1.

SECT. 18 revised, 1941, 518 § 2.

SECT. 19 revised, 1941, 518 § 3; 1955, 612 § 2.

SECT. 21 added, 1938, 302 (providing for regulation of plumbing in buildings owned and used by the commonwealth).

SECT. 22 added, 1941, 518 § 4 (providing for the enforcement of certain laws relative to the marking, construction and installation of hot water tanks).

Chapter 143. — Inspection and Regulation of, and Licenses for, Buildings, Elevators and Cinematographs.

SECT. 1, definition of "Alteration" revised, 1945, 480; definitions of "Building" and "Commissioner" inserted, 1945, 480; definition of "Inspector" amended, 1943, 544 § 7B; revised, 1945, 480; definition of "In-

stitution" inserted, 1955, 662 § 1; revised, 1959, 446 § 1; definition of "Place of assembly" inserted after paragraph in lines 12-14, 1943, 546 § 1; revised, 1945, 480; definition of "Public building" revised, 1945, 480; definition of "Public hall" revised, 1946, 363 § 1; definition of "Special hall" revised, 1941, 694; definition of "Structure" inserted, 1945, 480; definition of "Supervisor of plans" revised, 1946, 363 § 1. (See 1945, 722 § 2.)

SECT. 2 amended, 1949, 125; 1959, 563.

SECT. 2A added, 1948, 582 § 1 (excluding the state house from certain provisions of law relating to the safety of persons in buildings); sentence added at end, 1951, 430. (See 1948, 582 § 3; 1954, 153; 1957, 487.)

SECT. 2B added, 1949, 547 (providing for regulations relative to fire protection and prevention in the state house).

SECT. 2C added, 1954, 34 (relative to the evacuation of the state house in case of fire or other disaster).

SECT. 3 revised, 1943, 544 § 2; 1945, 674 § 1; first paragraph revised, 1946, 363 § 2; amended, 1949, 156 § 3; 1959, 607 § 2; paragraph inserted after second paragraph, 1958, 515; 1946, 423; paragraph added at end, 1949, 156 § 4; amended, 1951, 85. (See 1945, 722 § 2.)

SECTS. 3A-3I added, 1943, 544 § 2 (providing for rules and regulations for protecting life and limb in places of assembly and for the enforcement of laws, rules and regulations, ordinances and by-laws for protecting the same therein). (See 1943, 544 §§ 7A and 8.)

SECT. 3A revised, 1945, 482 § 1. (See 1945, 722 § 2.)

SECT. 3B revised, 1945, 645 § 2; sentence inserted after first sentence, 1947, 646; fourth paragraph amended, 1948, 144 § 1.

SECT. 3C repealed, 1945, 645 § 3.

SECT. 3D revised, 1945, 482 § 2. (See 1945, 722 § 2.)

SECTS. 3E and 3F repealed, 1945, 645 § 3.

SECT. 3G revised, 1945, 482 § 3; 1946, 363 § 3. (See 1945, 722 § 2.)

SECT. 3H revised, 1945, 645 § 4.

SECTS. 3I-3K added, 1947, 631 § 1 (to provide regulations for the prevention of fire and the preservation of life, health and morals in buildings used for dwelling purposes and to provide for alternatives to the requirements of ordinances, by-laws or regulations relative to the construction, alteration, repair, use or occupancy of such buildings).

SECT. 3I amended, 1948, 438 § 1.

SECT. 3J amended, 1950, 534 § 1; first paragraph amended, 1955, 617 § 1; second paragraph amended, 1955, 617 § 2; third paragraph amended, 1952, 158.

SECT. 3K, paragraph added at end, 1948, 438 § 2; same paragraph amended, 1949, 530; section repealed, 1950, 534 § 2.

SECT. 3L added, 1950, 617 § 1 (relative to rules and regulations for the installation, repair and maintenance of electrical wiring and fixtures); paragraph added at end, 1956, 403; revised, 1959, 355. (See 1950, 617 § 2.)

SECT. 3M added, 1951, 285 (relative to the depth and slant of window ledges on certain new buildings); stricken out, 1951, 752.

SECT. 6 revised, 1946, 363 § 4; amended, 1949, 541 § 1; revised, 1957, 214 § 1.

SECT. 7, sentence added at end, 1949, 156 § 2; section revised, 1957, 214 § 2.

SECT. 8 amended, 1945, 697 § 1; 1949, 541 § 2; revised, 1957, 214 § 3.

SECT. 9 revised, 1945, 697 § 2; sentence inserted after first sentence, 1949, 156 § 5; section amended, 1949, 541 § 3; revised, 1957, 214 § 4; third sentence amended, 1959, 75.

SECT. 9A added, 1945, 697 § 2A (relative to recovery for damage to other property caused by the making safe or taking down of a dangerous structure). (See 1945, 697 § 2B.)

SECT. 10 revised, 1945, 697 § 3; amended, 1949, 541 § 4.

SECT. 11 amended, 1949, 541 § 5.

SECT. 12 amended, 1945, 697 § 4.

SECT. 13 revised, 1946, 363 § 5.

SECT. 15 amended, 1943, 544 § 3; first sentence amended, 1947, 645 § 1; section revised, 1949, 539; first sentence amended, 1952, 509 § 1; 1955, 662 § 2; revised, 1959, 446 § 2. (See 1943, 544 § 7A.)

SECT. 16 amended, 1943, 544 § 3; revised, 1945, 473. (See 1943, 544 § 7A.)

SECT. 20 amended, 1945, 700 § 1.

SECT. 21 amended, 1943, 544 § 3; revised, 1943, 546 § 2; 1945, 536; first sentence revised, 1947, 645 § 2; amended, 1952, 509 § 2; 1955, 662 § 3; revised, 1959, 446 § 3. (See 1943, 544 § 7A, 546 § 5; 1945, 722 § 2.)

SECTS. 21A and 21B added, 1943, 546 § 3 (further regulating the means of ingress to and egress from places of assembly and certain other places). (See 1943, 546 §§ 5 and 6.)

SECT. 21A amended, 1945, 474 § 1; 1946, 363 § 6; revised, 1948, 440.

SECT. 21B amended, 1945, 482 § 4; revised, 1945, 722 § 1; paragraph added at end, 1946, 327 § 1; section revised, 1947, 654 § 1; 1948, 502. (See 1947, 654 § 3.)

SECT. 21C added, 1946, 327 § 2 (relative to the use and maintenance of revolving doors, so called, in certain buildings); revised, 1947, 654 § 2; 1948, 439 § 1; 1949, 540; paragraph added at end, 1952, 435. (See 1947, 654 § 3.)

SECTS. 24-33 amended, 1943, 544 § 3. (See 1943, 544 § 7A.)

SECT. 28 revised, 1945, 474 § 2; 1947, 648; third sentence revised, 1955, 662 § 5.

SECT. 29 revised, 1950, 288 § 1. (See 1950, 288 §§ 2, 3.)

SECT. 33 revised, 1945, 533 § 1; 1946, 363 § 7; amended, 1947, 645 § 3; 1948, 439 § 2; 1952, 509 § 3; 1955, 662 § 4; revised, 1959, 446 § 4. (See 1945, 722 § 2.)

SECT. 34 revised, 1943, 544 § 4; amended, 1952, 541 § 4; 1954, 158. (See 1943, 544 § 7A.)

SECT. 43 amended, 1943, 544 § 3. (See 1943, 544 § 7A.)

SECT. 44 amended, 1947, 643.

SECTS. 45 and 46 amended, 1943, 544 § 3. (See 1943, 544 § 7A.)

SECT. 47, last sentence stricken out, 1945, 700 § 2.

SECT. 48 amended, 1945, 700 § 3.

SECT. 49 amended, 1943, 544 § 3; revised, 1945, 526. (See 1943, 544 § 7A.)

SECT. 50, sentence added at end, 1945, 472. (See 1945, 722 § 2.)

SECTS. 51 and 52 amended, 1943, 544 § 3. (See 1943, 544 § 7A.)

SECT. 51 revised, 1945, 510.

SECT. 52 revised, 1945, 478.

SECT. 53 amended, 1949, 541 § 6.

SECT. 54 revised, 1943, 544 § 5. (See 1943, 544 § 7A.) Affected, 1955, 675 § 2.

SECT. 55 amended, 1949, 541 § 7.

SECT. 57 revised, 1945, 533 § 2; 1948, 582 § 2. (See 1945, 722 § 2; 1948, 582 § 3; 1954, 153; 1957, 487.)

SECT. 59 revised, 1943, 544 § 6; 1945, 533 § 3. (See 1943, 544 § 7A; 1945, 722 § 2.)

SECT. 60 amended, 1945, 533 § 4. (See 1945, 722 § 2.)

SECT. 61 revised, 1945, 674 § 2. (See 1945, 722 § 2.)

SECT. 62, sentence added at end, 1950, 509; six sentences added at end, 1956, 722; section revised, 1957, 519.

SECT. 67 repealed, 1956, 481.

SECT. 69 revised, 1945, 643 § 2; second paragraph amended, 1948, 144 § 2. See 1959, 373.

SECT. 70 revised, 1957, 257; 1959, 439 § 2.

SECTS. 71A-71C added, 1945, 626 § 1 (providing for the licensing of persons engaged in the construction and maintenance of elevators and escalators). (See 1945, 626 § 2.)

SECT. 71A revised, 1957, 637 § 1.

SECT. 71B, second sentence stricken out, 1956, 474; section revised, 1957, 637 § 2.

SECT. 71C revised, 1957, 637 § 3.

SECT. 71D added, 1946, 495 (providing that persons engaged in certain work in the construction and maintenance of elevators and escalators need not be licensed as elevator constructors, maintenance men or repairmen); revised, 1957, 637 § 4.

SECT. 71E added, 1956, 475 (relative to the inspection, regulation and operation of moving stairways); revised, 1957, 637 § 4A.

SECT. 71F added, 1957, 637 § 5 (relative to the licensing of persons engaged in the construction of elevators, moving stairways and dumbwaiters).

SECT. 74 revised, 1941, 553 § 1. (See 1941, 553 § 9.)

SECT. 75 revised, 1941, 553 § 2; amended, 1950, 112. (See 1941, 553 § 9.)

SECT. 76 revised, 1941, 553 § 3. (See 1941, 553 § 9.)

SECTS. 77 and 78 repealed, 1941, 553 § 4. (See 1941, 553 § 9.)

SECT. 79 revised, 1941, 553 § 5. (See 1941, 553 § 9.)

SECT. 80 repealed, 1941, 553 § 4. (See 1941, 553 § 9.)

SECT. 82 amended, 1941, 553 § 6. (See 1941, 553 § 9.)

SECT. 85 amended, 1941, 553 § 7; revised, 1955, 44. (See 1941, 553 § 9.)

SECT. 86 amended, 1941, 553 § 8. (See 1941, 553 § 9.)

SECT. 89 added, 1955, 152 § 1 (relative to the storage, distribution and exhibition of certain nitrate motion picture film).

Chapter 145. — Tenement Houses in Towns.

SECT. 17A added, 1934, 168 (relative to the erection of garages in the yards of certain tenement houses).

SECT. 59, sentence added at end, 1948, 550 § 26.

Chapter 146. — Inspection of Boilers, Air Tanks, etc., Licenses of Engineers, Firemen, and Operators of Hoisting Machinery.

- SECT. 1, definition of "Inspector" revised, 1958, 486 § 3.
 SECT. 2 amended, 1941, 459; 1946, 336 § 1; revised, 1958, 525.
 SECT. 4 amended, 1946, 336 § 2.
 SECT. 7 amended, 1948, 321.
 SECT. 13 amended, 1952, 153.
 SECT. 16 revised, 1932, 180 § 28.
 SECT. 18 amended, 1953, 35 § 1.
 SECT. 22 revised, 1952, 541 § 1.
 SECT. 34 revised, 1938, 319 § 1; sentence added at end, 1947, 620; same sentence revised, 1948, 146.
 SECT. 35 amended, 1938, 319 § 2.
 SECT. 38 amended, 1953, 35 § 2.
 SECT. 40 revised, 1952, 541 § 2.
 SECT. 46, first sentence amended, 1953, 207 § 1A.
 SECT. 49, last sentence revised, 1953, 207 § 1. (See 1953, 207 § 2.)
 SECT. 50 amended, 1935, 67; 1951, 36.
 SECT. 52 repealed, 1948, 140.
 SECT. 57 revised, 1952, 541 § 3.
 SECT. 60 amended, 1951, 398.
 SECT. 63 amended, 1952, 154.
 SECT. 67 revised, 1941, 525 § 1; amended, 1946, 180; revised, 1951, 393; 1952, 175. (See 1941, 525 § 2.)
 SECT. 68 stricken out, 1953, 319 § 22. (See 1953, 319 §§ 39, 40.)

Chapter 147. — State and Other Police, and Certain Powers and Duties of the Department of Public Safety.

- SECT. 1A added, 1947, 668 § 1 (relative to the policing of reservations of the United States of America). (See 1947, 668 § 2.)
 SECT. 4B added, 1939, 116 (providing that local police authorities and district attorneys be furnished with information relative to certain persons charged with or convicted of sex crimes, so called, upon their release or discharge from certain institutions); revised, 1954, 246.
 SECT. 4C added, 1955, 771 § 2 (relative to the functions and duties of the criminal information bureau); subdivision (*d*) added, 1956, 365.
 SECT. 8A added, 1938, 296 (authorizing the carrying of certain weapons by sheriffs, deputy sheriffs and special sheriffs, and certain officers in the department of correction); revised, 1939, 174.
 SECT. 10 amended, 1934, 23.
 SECT. 10A added, 1949, 148 (authorizing the appointment as special police officers of employees of the Port of Boston Authority).
 SECT. 10B added, 1953, 536 (authorizing the appointment as special police officers of certain employees of the department of mental health).
 SECT. 10C added, 1956, 231 (authorizing the appointment as special police officers of certain employees of the department of public health).
 SECT. 10D added, 1957, 349 (providing for the appointment of employees of the Massachusetts Turnpike Authority as special police officers).
 SECT. 10E added, 1957, 731 (providing for the appointment as special police officers of employees of the Soldiers' Home in Holyoke and the Soldiers' Home in Massachusetts).

SECTS. 13B and 13C added, under caption, 1939, 419 § 2 (providing for the ultimate abolition of reserve police forces in certain cities and towns).

SECT. 16A added, 1937, 85 § 1 (providing for one day off in every seven days for police officers in certain cities and towns); revised, 1938, 426 § 1.

SECT. 16B added, 1938, 426 § 2 (providing for one day off in every six days for police officers of certain cities and towns).

SECT. 16C added, 1951, 346 § 1 (providing for a five day work week for police officers in certain cities and towns).

SECT. 17 amended, 1937, 85 § 2; 1938, 426 § 3; 1951, 346 § 2; sentence added at end, 1954, 325.

SECT. 17A added, 1952, 268 (providing additional off duty and extra pay for police officers in certain cases).

SECTS. 17B and 17C added, 1956, 349 (providing for a forty hour week for police officers of certain cities and towns and compensation for over-time service).

SECT. 19, sentence added after the first sentence, 1939, 256 § 2. (See 1939, 256 § 3.)

SECTS. 25A-25C added, 1937, 437 § 1 (relative to promoting peaceful industrial relations by regulating certain forms of private police and detective activity in labor disputes and related matters).

SECT. 25A, sentence added at end, 1953, 76.

SECT. 25B repealed, 1954, 544 § 1.

SECT. 25C revised, 1954, 544 § 2.

SECT. 26 amended, 1937, 437 § 2.

SECT. 30 revised, 1937, 437 § 3.

SECT. 32 revised, 1935, 262 § 1.

SECT. 33 amended, 1935, 262 § 2.

SECT. 35 revised, 1934, 69; 1948, 199.

SECT. 36 revised, 1932, 79.

SECT. 38 revised, 1947, 234; sixth sentence amended, 1953, 238.

SECT. 39 revised. 1948, 371; 1949, 371; 1950, 114.

SECT. 39A added, 1948, 232 (excluding certain persons who have been knocked out from participating in boxing or sparring matches).

SECT. 39B added, 1954, 177 (requiring certain persons licensed to conduct boxing matches to provide insurance for contestants).

SECT. 40 amended, 1952, 203; revised, 1956, 660.

SECT. 40A added, 1957, 623 § 3 (establishing a boxers' fund and regulating payments thereto); paragraph added at end, 1959, 463.

SECT. 46 revised, 1958, 399.

SECT. 50A added, 1956, 357 (authorizing courses of instruction in boxing or sparring matches or exhibitions at certain boys clubs, schools and recreational agencies).

Chapter 148. — Fire Prevention.

SECT. 1, definition of "Head of the fire department" revised, 1945, 470; definition of "local licensing authority" amended, 1932, 102; revised, 1953, 230 § 1; three paragraphs added at end, defining "Board", "Building" and "Structure", 1945, 470. (See 1953, 230 § 2.)

SECT. 2 amended, 1948, 504.

SECT. 3 amended, 1945, 700 § 4.

SECT. 4 amended, 1945, 710 § 2; paragraph added at end, 1955, 662 § 6; revised, 1959, 446 § 5.

SECT. 5, sentence in lines 16-17 amended, 1945, 463.

SECT. 9 amended, 1945, 710 § 3.

SECT. 10 revised, 1945, 710 § 4; third paragraph amended, 1948, 144 § 3.

SECT. 10A added, 1932, 75 (relative to the granting of certain permits and the making of certain inspections by municipal officers designated by the state fire marshal); revised, 1945, 479.

SECT. 10B added, 1954, 331 (establishing a penalty for the violation of any rule or regulation made by the board of fire prevention regulations).

SECT. 13, first paragraph amended, 1932, 22 § 1; section amended, 1935, 123 § 1; revised, 1936, 394 § 1; first paragraph amended, 1945, 415 § 1; revised, 1945, 710 § 5; 1948, 550 § 27; amended, 1951, 329; 1953, 200; second paragraph amended, 1945, 710 § 6; paragraph inserted after second paragraph, 1958, 251; third paragraph amended, 1939, 333; 1945, 710 § 7; paragraph inserted, 1959, 353 § 1; fourth paragraph (as appearing in 1936, 394 § 1) amended, 1945, 710 § 8; last paragraph, as so appearing, amended, 1938, 99. (See 1932, 22 § 2; 1936, 394 §§ 2, 3; 1945, 415 § 2, 710 § 19; 1959, 353 § 2.)

SECT. 14 amended, 1938, 103.

SECT. 16 amended, 1941, 288.

SECT. 18 repealed, 1934, 182 § 2.

SECT. 19, sentence added at end, 1948, 550 § 28.

SECT. 20A added, 1946, 501 (relative to bonds to cover risk of damages from blasting operations conducted in several municipalities).

SECT. 21 amended, 1945, 710 § 9.

SECT. 22 amended, 1945, 710 § 10.

SECT. 23 amended, 1935, 123 § 2.

SECT. 23A added, 1948, 188 (prohibiting the use of inflammable anti-freeze solutions in fire hydrants).

SECT. 25 amended, 1945, 710 § 11.

SECT. 26 amended, 1945, 481.

SECT. 27A added, 1932, 283 (relative to the protection of life and property from fire hazards incident to the present industrial emergency).

SECT. 28, paragraph L amended, 1943, 546 § 4; section amended, 1945, 710 § 12; paragraph I revised, 1949, 512; paragraph J revised, 1958, 333; paragraph L revised and paragraph N added, 1946, 363 § 9. (See 1943, 546 § 5.)

SECT. 29 amended, 1939, 205.

SECT. 30 amended, 1945, 710 § 13; first sentence revised, 1956, 214.

SECT. 31 amended, 1945, 460.

SECT. 38 amended, 1945, 710 § 14.

SECT. 38A added, 1938, 95 (prohibiting the removal of certain gasoline tanks without a permit).

SECT. 39 revised, 1943, 291 § 1; clause (9) added, 1956, 213.

SECT. 39A added, 1943, 291 § 2 (authorizing the making of rules and regulations for the granting of permits for supervised displays of fireworks); amended, 1945, 256; 710 § 15.

SECT. 40 amended, 1945, 710 § 16; sentence added at end, 1948, 550 § 29.

SECT. 42, sentence added at end, 1951, 184.

SECT. 46 amended, 1945, 710 § 17.

SECTS. 48 and 49 repealed, 1946, 282.

SECT. 49A added, 1934, 182 § 1 (relative to the inspection of kerosene or any product thereof kept for sale for illuminating, heating or cooking purposes); repealed, 1946, 282.

SECT. 50 amended, 1943, 291 § 3.

SECT. 52A added, 1950, 258 (prohibiting the sale of exploding matches).

SECT. 53 repealed, 1943, 291 § 4.

SECT. 54 revised, 1948, 370 § 2; amended, 1952, 254.

SECT. 56 amended, 1957, 172.

Chapter 149. — Labor and Industries.

For temporary legislation authorizing the commissioner of labor and industries to suspend certain laws, rules and regulations relative to the employment of women and minors when necessary to provide relief from conditions resulting from the present shortage of man power, see 1943, 382.

For temporary legislation authorizing the commissioner of labor and industries to suspend certain laws, rules and regulations relative to the employment of women and minors when an emergency exists or conditions of hardship require or justify suspension, see 1947, 357 § 4; 1949, 332; 1950, 168; 1951, 167; 1952, 119; 1953, 236; 1954, 10; 1955, 106; 1956, 304; 1957, 162; 1959, 45.

For legislation relative to interstate compacts affecting labor and industry, see 1933, Res. 44; 1934, 383, Res. 25; 1935, 315 §§ 1-3; 1936, Res. 68; 1937, 404; 1943, 255.

SECT. 1, paragraph defining "co-operative courses" amended, 1939, 461 § 4; paragraph defining "discrimination" inserted, 1937, 367 § 1; paragraphs defining "employee" and "employer" inserted, 1945, 584 § 1; definition of "employment" amended, 1945, 584 § 2; revised, 1945, 646; paragraph defining "employment permit", "permit for employment" or "employment certificate" inserted, 1939, 461 § 4A; revised, 1945, 133 § 3; paragraph defining "mercantile establishments" amended, 1936, 78.

SECT. 6 amended, 1934, 132 § 1; 1937, 249; two paragraphs added at end, 1952, 155; paragraph added at end, 1954, 680 § 7. (See 1934, 132 § 2.)

SECT. 8 amended, 1943, 441.

SECT. 11 amended, 1935, 328; revised, 1950, 453.

SECT. 17 amended, 1945, 430.

SECTS. 18A-18I added, under caption, 1959, 614 (establishing safety orders applicable to longshore and waterfront operations).

SECT. 19A added, 1953, 117 (requiring the furnishing of copies of certain medical reports to employees).

SECT. 19B added, 1959, 255 (prohibiting the use of lie detector tests by employers as a condition of employment).

SECT. 20A added, 1933, 351 § 1 (relative to the judicial enforcement of certain contracts relative to membership in labor or employers' organizations). (See 1933, 351 § 2.)

SECTS. 20B and 20C added, 1935, 407 § 1 (regulating the liability of labor unions and others involved in labor disputes, and defining labor disputes and other terms used in connection therewith). (See 1935, 407 § 6.)

SECT. 20C, first sentence amended, 1950, 452 § 1; subsection (c) stricken out and subsections (c)-(f) inserted, 1950, 452 § 2. (See 1937, 436 § 10; G. L. 150A § 6 (h) inserted by 1938, 345 § 2; 1950, 452 §§ 5-7.)

SECT. 20D added, 1958, 678 (prohibiting the solicitation, acceptance or payment of money for the purpose of encouraging or discouraging the formation or functioning of a labor organization).

SECT. 22 amended, 1951, 166 § 1; 1955, 430; two sentences added at end, 1956, 471.

SECT. 23, first paragraph amended, 1951, 166 § 2; second paragraph amended, 1935, 114.

SECT. 23A added, 1934, 233 (regulating the employment of armed guards in connection with strikes, lockouts and other labor troubles).

SECT. 23B added, 1955, 241 (prohibiting the use of auxiliary police or other personnel organized under the civil defense laws in connection with any labor dispute).

SECT. 24 amended, 1933, 272; revised, 1950, 452 § 4. (See 1950, 452 §§ 5-7.)

SECTS. 24A-24J added, under the caption "DISCRIMINATION AGAINST CERTAIN PERSONS IN EMPLOYMENT ON ACCOUNT OF AGE", 1937, 367 § 2.

SECTS. 26 and 27 stricken out, and new sections 26-27D added, 1935, 461 (relative to preference and minimum wages of veterans and others in certain employments on certain public works).

SECT. 26 amended, 1947, 334; first sentence revised, 1954, 627 § 32; sentence added at end, 1956, 606 § 1; paragraph added at end, 1937, 346; same paragraph revised, 1938, 413; 1946, 591 § 46. (See 1954, 627 §§ 65, 67.)

SECT. 27, last sentence revised, 1955, 180; last sentence stricken out and three sentences inserted, 1956, 606 § 2.

SECT. 27D amended, 1955, 453; revised, 1958, 364.

SECT. 27E added, 1938, 67 (establishing residential requirements to be observed in the employment of certain persons by the department of public works).

SECT. 28 revised, 1948, 550 § 30.

SECT. 29 amended, 1935, 217 § 2; revised, 1935, 472 § 2; 1938, 361; 1955, 702 § 2; 1957, 682 § 1. (See 1955, 702 § 3; 1957, 682 § 3.)

SECT. 29A added, 1949, 185 (relative to the enforcement of certain surety bonds by persons furnishing labor and materials on private building projects).

SECT. 30 revised, 1936, 367 § 1; 1947, 680 § 1.

SECT. 30A added, 1947, 677 § 1 (further regulating the work hours of certain persons employed by the commonwealth); amended, 1949, 780; 1950, 439; revised, 1952, 626; 1955, 643 § 6. (See 1947, 677 §§ 2, 3; 1955, 643 § 12.)

SECT. 32 revised, 1945, 680.

SECT. 33A added, 1947, 649 (authorizing a forty hour week for employees of certain cities and towns); revised, 1948, 657.

SECT. 33B added, 1950, 653 (further regulating the work hours of persons employed by cities and towns).

SECT. 34 amended, 1936, 367 § 2; revised, 1947, 680 § 2.

SECT. 34A added, 1938, 438 (requiring contractors on public buildings and other public works to provide and continue in force, during the full term of the contract, insurance under the Workmen's Compensation Law, so called).

SECT. 34B added, 1939, 252 (regulating the rate of compensation paid to reserve police officers by contractors on certain public works).

SECT. 34C added, 1947, 680 § 3 (concerning the applicability of certain provisions of law relative to hours of labor on public works).

SECT. 36 amended, 1942, 1 § 7; revised, 1957, 91. (See 1942, 1 § 9.)

SECT. 39 revised, 1935, 444 § 1; 1954, 632 § 1. (See 1935, 444 § 2.)

SECT. 40 revised, 1945, 426 § 1; repealed, 1954, 632 § 2. (See 1945, 426 § 2.)

SECTS. 44A–44D added, under caption, 1939, 480 (requiring fair competition for bidders on the construction, reconstruction, alteration, remodelling or repair of certain public works by the commonwealth or any political subdivision thereof).

SECT. 44A revised, 1941, 699 § 1; 1954, 645 § 1; first sentence revised, 1956, 494. (See 1954, 645 § 5.)

SECT. 44B revised, 1954, 645 § 2; second paragraph amended, 1956, 309. (See 1954, 645 § 5.)

SECT. 44C, subsection (B) revised, 1941, 699 § 2; subsection (D) amended, 1941, 699 § 3; first paragraph of subsection (E) revised, 1941, 699 § 4; sentence added at end of subsection (E), 1941, 699 § 5; last paragraph of “Draft of Proposal Form” amended, 1941, 699 § 6; paragraph contained in lines 14–18 of the “Proposal Form (Sub-Bidder)” amended, 1941, 699 § 7; section revised, 1954, 645 § 3. (See 1954, 645 § 5.)

SECT. 44E added, 1954, 645 § 4 (relative to powers of the department with relation to contracts for public building projects).

SECTS. 44A–44E stricken out and sections 44A–44L inserted, 1956, 679 § 1. (See 1956, 679 § 2.)

SECT. 44A, second sentence revised, 1957, 590 § 1.

SECT. 44C, third sentence revised, 1957, 590 § 2.

SECT. 44K revised, 1957, 590 § 3.

SECT. 48 revised, 1935, 185, 423 § 3; amended, 1938, 320; revised, 1939, 235 § 1.

SECT. 49 amended, 1937, 221; revised, 1938, 295.

SECT. 50 revised, 1933, 225; amended, 1935, 423 § 1.

SECT. 50A added, 1935, 423 § 2 (making one day’s rest in seven law applicable to watchmen and employees maintaining fires in certain establishments).

SECT. 51 revised, 1939, 235 § 2.

SECT. 51A added, 1954, 93 (authorizing exemptions from the law requiring one day’s rest in seven).

SECT. 51B added, 1958, 593 (providing that certain injured workers shall have preference in re-employment.)

SECT. 52A added, 1956, 385 (providing for leave of absence from work for training for employees who are members of organized units of the ready reserve of the armed forces of the United States).

SECT. 55 revised, 1945, 87.

SECT. 56 amended, 1932, 110 § 1; revised, 1935, 200; first sentence stricken out and two sentences inserted, 1939, 377; section amended, 1941, 574, 610 § 1; first sentence amended, 1947, 161; revised, 1947, 368; amended, 1948, 196; paragraph added at end, 1946, 241 § 1. (See 1941, 610 §§ 2, 3.)

SECT. 57 amended, 1932, 110 § 2.

SECT. 59 amended, 1933, 193 § 1; 1936, 170 § 1; revised, 1947, 357 § 1. (For prior temporary legislation authorizing the commissioner of labor and industries to suspend certain provisions relative to the hours of employment of women in the textile and leather industries, see 1933, 347; time for suspension as to the textile industry extended, 1935, 429; 1936, 154; 1937, 153; 1938, 68; 1939, 96; 1941, 154; 1943, 306; 1945, 14; 1946, 96. For prior temporary legislation suspending certain provisions relative to the hours of employment of women and children in the textile industry and to their meal periods, 1946, 127, 560.)

SECT. 60 revised, 1935, 203; paragraph added at end, 1939, 193 § 1; section revised, 1939, 273, 461 § 5; 1947, 109 § 1; amended, 1955, 113. (See 1939, 461 § 13.)

SECT. 61, clause (1) revised, 1946, 241 § 2; section amended, 1954, 98; last sentence stricken out, 1954, 240 § 1.

SECT. 62, clause (13) amended, 1934, 328 § 19; section amended, 1945, 337; clause (15) added, 1946, 171; amended, 1954, 240 § 2.

SECT. 65 amended, 1939, 352; revised, 1939, 461 § 6.

SECT. 66 amended, 1933, 193 § 2; 1936, 170 § 2; 1939, 255; 1946, 48; affected, 1946, 127, 560; section revised, 1947, 357 § 2.

SECT. 67 revised, 1939, 348.

SECTS. 69-73. See 1934, 114.

SECT. 69 amended, 1939, 461 § 7.

SECT. 70, sentence added at end, 1939, 94; section revised, 1945, 133 § 4.

SECT. 71 amended, 1945, 133 § 5; revised, 1958, 38.

SECT. 73 revised, 1939, 461 § 8; amended, 1955, 503.

SECT. 78 amended, 1934, 292 § 1; 1954, 240 § 3.

SECT. 79 amended, 1954, 291.

SECT. 84 amended, 1932, 180 § 29.

SECT. 86 revised, 1939, 461 § 9; first paragraph revised, 1947, 109 § 2.

SECT. 87 revised, 1939, 461 § 10; paragraph inserted after subsection (4) (e), 1952, 63.

SECT. 88 amended, 1945, 133 § 6.

SECT. 89 revised, 1945, 133 § 7.

SECT. 90 revised, 1945, 133 § 8.

SECT. 94 revised, 1939, 461 § 11.

SECT. 95, first paragraph amended, 1945, 133 § 9; 1956, 234 § 1; second paragraph amended, 1956, 234 § 2.

SECT. 100 amended, 1939, 280; affected, 1946, 127, 560; section revised, 1947, 357 § 3; 1957, 723; 1958, 461.

SECT. 101 revised, 1938, 335; amended, 1955, 111.

SECT. 104 amended, 1932, 27; 1939, 193 § 2; revised, 1954, 110.

SECTS. 105A-105C added, under caption, 1945, 584 § 3 (penalizing discriminatory wage rates based on sex).

SECT. 105A revised, 1947, 565; 1951, 180.

SECT. 106, sentence added at end, 1955, 373 § 1; section revised, 1956, 89.

SECT. 113 revised, 1934, 255; amended, 1955, 426.

SECT. 117 revised, 1935, 208.

SECT. 126 revised, 1945, 528; first sentence revised, 1954, 349.

SECT. 127 revised, 1951, 38.

SECT. 129A added, 1949, 305 (requiring the shoring of certain excavations); revised, 1956, 431.

SECT. 130 revised, 1954, 59.

SECT. 133, sentence added at end, 1955, 373 § 2; section revised, 1955, 669 § 1. (See 1955, 669 § 2.)

SECT. 135 amended, 1933, 64.

SECT. 139 amended, 1955, 92.

SECT. 140 repealed, 1953, 57.

SECT. 141A added, 1949, 255 (limiting the weight to be lifted by hand by certain employees in textile factories).

SECTS. 142A-142F added, under caption, 1933, 304 (regulating the sale, distribution, storage and use of benzol and its compounds).

SECT. 142A amended, 1935, 463 § 1; revised, 1949, 591 § 1; 1955, 469 § 1. (See 1955, 469 § 7.)

SECT. 142B revised, 1935, 463 § 2; 1949, 591 § 2; 1955, 469 § 2. (See 1955, 469 § 7.)

SECT. 142C revised, 1955, 469 § 3. (See 1955, 469 § 7.)

SECT. 142D amended, 1949, 591 § 3; revised, 1955, 469 § 4. (See 1955, 469 § 7.)

SECT. 142E revised, 1949, 591 § 4; 1955, 469 § 5. (See 1955, 469 § 7.)

SECT. 142F amended, 1949, 591 § 5; revised, 1955, 469 § 6. (See 1955, 469 § 7.)

SECT. 142G added, 1955, 469 § 6 (providing for the enforcement of certain rules and regulations relative to the use, storage and sale of certain materials and substances hazardous to health).

SECT. 147A added, 1932, 234 (requiring the furnishing of certain information to the department of labor and industries with respect to the performance of certain industrial work in tenements and dwelling houses).

SECTS. 143-147A, and the heading above section 143, stricken out, and new sections 143-147H inserted, under the heading "INDUSTRIAL HOMEWORK", 1937, 429.

SECT. 143 revised, 1945, 600 § 1; 1955, 764 § 1. (See 1955, 764 § 13.)

SECT. 143A added, 1955, 764 § 2 (relative to protection of health and well being of industrial home workers). (See 1955, 764 § 13.)

SECT. 144 amended, 1945, 600 § 2; 1955, 764 § 3. (See 1955, 764 § 13.)

SECT. 145 amended, 1955, 764 § 4. (See 1955, 764 § 13.)

SECT. 146A added, 1955, 764 § 5 (relative to the distribution of industrial homework). (See 1955, 764 § 13.)

SECT. 147 amended, 1941, 539; first paragraph amended, 1945, 600 § 3; 1955, 764 § 6; 1958, 666 § 1; second paragraph amended, 1953, 247; revised, 1955, 764 § 7. (See 1955, 764 § 13.)

SECT. 147A amended, 1939, 461 § 12; paragraph added at end, 1955, 764 § 8; revised, 1958, 666 § 2. (See 1955, 764 § 13.)

SECT. 147B amended, 1945, 600 § 4.

SECT. 147C amended, 1945, 600 § 5; 1955, 764 § 9. (See 1955, 764 § 13.)

SECT. 147D amended, 1945, 600 § 6; 1955, 764 § 10. (See 1955, 764 § 13.)

SECT. 147E amended, 1955, 764 § 11. (See 1955, 764 § 13.)

SECT. 147G amended, 1945, 600 § 7; 1955, 764 § 12. (See 1955, 764 § 13.)

SECT. 148, last sentence amended, 1932, 101 § 1; section revised, 1935, 350; 1936, 160; first paragraph revised, 1955, 506; paragraph inserted after first paragraph, 1943, 467; paragraph inserted after third para-

graph, 1943, 378; same paragraph amended, 1943, 563; revised, 1946, 414; last paragraph amended, 1951, 28; section revised, 1956, 259.

SECT. 150, sentence added at end, 1932, 101 § 2.

SECT. 150A added, 1938, 403 (requiring employers to furnish certain information to employees relative to deductions from wages for social security and unemployment compensation benefits).

SECT. 150B added, 1943, 385 (prohibiting labor unions from requiring payment of certain fees as a condition of securing or continuing employment).

SECT. 152A added, 1952, 490 (prohibiting the payment by an employee to an employer of tips or gratuities received during the course of employment).

SECT. 156 amended, 1935, 363 § 1; 1941, 164. (See 1935, 363 § 2.)

SECT. 157A added, 1933, 268 (insuring to piece or job workers in factories and workshops information relative to their compensation).

SECT. 159A added, 1937, 342 § 1 (to prevent the misleading of patrons of certain places as to the beneficiaries of tips given to hat-check and cigarette girls and the like).

SECT. 159B added, 1949, 241 (requiring payment by employers for medical examinations of present or prospective employees in certain cases).

SECT. 170 amended, 1945, 580 § 8. (See 1945, 580 § 9.)

SECT. 171 revised, 1948, 487.

SECT. 178A added, 1932, 175 (authorizing the payment of small amounts of wages or salary of intestate employees to certain next of kin without administration); sentence added at end, 1953, 436 § 4; section revised, 1954, 562 § 4.

SECT. 178B added, 1947, 189 § 1 (to authorize deductions from wages of employees of districts and municipalities for making certain payments to credit unions of such employees); revised, 1956, 144. [For prior legislation, see G. L. chapter 171 § 6A (1946, 184) repealed by 1947, 189 § 2.]

SECT. 178C added, 1953, 436 § 5 (relative to the payment of salaries, wages or other sums owing by the commonwealth or certain political subdivisions thereof upon the death of their officers or employees); revised, 1954, 562 § 5. (See 1953, 436 § 7.)

SECT. 178D added, 1958, 460 (protecting the right of public employees to join vocational or labor organizations).

SECT. 178E added, 1959, 552 (providing that a certain portion of a dividend or rate reduction under a group insurance policy should be applied for the sole benefit of certain insured employees).

SECT. 179B added, 1941, 642 (requiring the giving of notice to the Commissioner of Labor and Industries of the commencement or a change of location of operations by industries in this commonwealth).

Chapter 150. — Conciliation and Arbitration of Industrial Disputes.

SECT. 3 amended, 1938, 364 § 1; 1939, 111.

SECT. 5 revised, 1938, 364 § 2.

SECT. 7, fifth sentence amended, 1946, 590 § 1; 1957, 481.

SECT. 9, last sentence amended, 1946, 590 § 2.

SECT. 11 added, 1949, 548 (providing that certain agreements for the arbitration and conciliation of labor disputes shall be valid); repealed, 1959, 546 § 3. (See 1959, 546 § 4.)

Chapter 150A. — Labor Relations.

New chapter inserted, 1938, 345 § 2 (incorporating the provisions of 1937, 436, relative to labor relations as an addition to the General Laws). (See 1938, 345 §§ 3, 4.)

SECT. 2, subsection (9) added, 1951, 615 § 1.

SECT. 3 revised, 1951, 615 § 2.

SECT. 4, subsection (2) amended, 1956, 286; subsection (3) revised, 1947, 657 § 1; subsection (6) added, 1947, 657 § 2.

SECT. 4A revised, 1947, 657 § 3.

SECT. 4B added, 1947, 657 § 3 (making it an unfair labor practice for a labor organization to refuse to bargain collectively in certain cases).

SECT. 5, subsection (a) revised, 1951, 615 § 3; subsection (b) amended, 1939, 318; revised, 1951, 615 § 4; subsection (c) amended, 1947, 657 § 4.

SECT. 6, subsection (a) amended, 1947, 657 § 5; subsection (c) amended, 1954, 681 § 10; subsection (f) amended, 1954, 681 § 11; subsection (h) amended, 1941, 261.

SECTS. 6A-6C added, 1947, 657 § 6 (relative to membership in labor organizations where such membership is required as a condition of employment).

SECT. 7, first paragraph amended, 1947, 657 § 7.

SECT. 9 amended, 1947, 657 § 8.

SECT. 10, subsection (b) revised, 1945, 354; 1947, 657 § 9.

Chapter 150B. — Peaceful Settlement of Industrial Disputes Dangerous to Public Health and Safety.

New chapter inserted, 1947, 596.

SECTS. 3 and 4 revised, 1954, 557 § 1.

SECT. 8 added, 1954, 557 § 2 (relative to compensation for persons appointed as moderators, commissioners or board members in matters relating to peaceful settlement of industrial disputes).

Chapter 150C. — Collective Bargaining Agreements to Arbitrate.

New chapter inserted, 1959, 546 § 1. (See 1959, 546 § 4.)

Chapter 151. — Minimum Fair Wages (former title, Minimum Fair Wages for Women and Minors).

Chapter stricken out, and new chapter 151 inserted, 1934, 308 § 1. (See 1934, 308 §§ 2, 3; 1935, 267. See also 1933, Res. 44; 1934, 383, Res. 25.)

Chapter stricken out, and new chapter 151 (with new title) inserted, 1937, 401 § 1. (See 1937, 401 §§ 2, 3.)

Chapter stricken out, and new chapter 151 (with new title) inserted, 1947, 432 § 1 (incorporating as part of the General Laws, 1946, 545 which extended the minimum wage law, so called, to adult male persons). (See 1947, 432 § 2.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to chapter 151, as so inserted:

SECT. 1, sentence added at end, 1949, 777 § 1; amended, 1952, 558 § 1; 1955, 762 § 1; revised, 1956, 740 § 1; amended, 1958, 620 § 1. (See 1949, 777 §§ 2, 4; 1955, 762 § 4; 1956, 740 § 4; 1958, 620 § 3.)

SECT. 2, definition of "A directory order" stricken out, 1952, 558 § 2; definition of "Occupation" revised, 1948, 362; amended, 1952, 558 § 3; revised, 1954, 174; amended, 1959, 190.

SECT. 7, first two sentences stricken out and three sentences inserted, 1957, 202; paragraph added at end, 1952, 558 § 4; revised, 1953, 515; amended, 1955, 762 § 2; revised, 1956, 740 § 2; 1958, 616 § 1; 1959, 551 § 1; paragraph added at end, 1956, 681. (See 1952, 558 § 5; 1955, 762 § 4; 1956, 185, 740 § 4; 1958, 616 § 2; 1959, 551 § 2.)

SECT. 8, last sentence revised, 1952, 558 § 6.

SECT. 9 revised, 1957, 225; 1958, 27.

SECT. 10, first sentence revised, 1952, 558 § 7.

SECT. 11, first sentence amended, 1952, 558 § 8.

SECT. 12 revised, 1952, 558 § 9.

SECT. 13 amended, 1952, 558 § 10.

SECT. 14, paragraph added at end, 1959, 123.

SECT. 15 amended, 1950, 349 § 1.

SECT. 16 amended, 1952, 558 § 11.

SECT. 19, paragraph (2) revised, 1949, 777 § 3; 1952, 558 § 12; amended, 1955, 762 § 3; revised, 1956, 740 § 3; amended, 1958, 620 § 2. (See 1949, 777 §§ 2, 4; 1955, 762 § 4; 1956, 740 § 4; 1958, 620 § 3.)

SECT. 20A added, 1950, 349 § 2 (establishing a time during which certain actions may be brought under the minimum wage law).

Chapter 151A.—Employment Security (former title, Unemployment Compensation).

For legislation providing for the payment of unemployment compensation benefits to persons upon termination of service in the military or naval forces of the United States during the present national emergency, see 1941, 701; 1943, 319; 1946, 168.

New chapter inserted, 1935, 479 § 5. (See 1935, 479 §§ 6, 7; 1936, 12 § 3, 249 § 16.)

Chapter stricken out, and new chapter 151A (with same title) inserted, 1937, 421 § 1. (See 1937, 421 §§ 2-4.)

Chapter stricken out, and new chapter 151A (with new title) inserted, 1941, 685 § 1. (See 1941, 685 §§ 7-11; 1941, 686.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to chapter 151A, as so inserted:

SECT. 1, subsections (a), (c) and (r) (1) revised, 1951, 763 § 1; subsection (a) revised, 1953, 560 § 1; 1956, 719 § 1; affected, 1957, 626; subsection (o) amended, 1956, 719 § 3; subsection (r) (1) amended, 1956, 719 § 2; subsection (r) (2), sentence added at end, 1949, 476; subsection (r) (2) revised, 1951, 763 § 1; subsection (r) (3) added, 1953, 635 § 1; revised, 1957, 632; subsection (s) (1) stricken out, 1948, 603 § 1; subsection (s) revised, 1951, 763 § 1; amended, 1954, 279 § 1; subsection (u) added, 1949, 639 § 2, defining "American vessel"; subsection

(*v*), defining "Remuneration", and subsection (*w*), defining "Average weekly wage", added, 1951, 763 § 2; subsection (*v*) repealed, 1953, 635 § 2. (See 1949, 639 § 3; 1951, 763 § 22; 1953, 560 § 3; 1954, 279 § 2; 1956, 719 § 8.)

SECT. 6, subsection (*c*) revised, 1949, 639 § 1; subsection (*d*) revised, 1951, 763 § 3; 1954, 280 § 1; subsection (*f*) amended, 1954, 431 § 1; subsection (*h*) revised, 1951, 763 § 3; subsection (*j*) revised, 1951, 763 § 3; subsection (*n*) revised, 1951, 763 § 3; subsection (*q*) amended, 1947, 433. (See 1949, 639 § 3; 1951, 763 § 22; 1954, 280 § 2.)

SECT. 8, subsection (*a*) amended, 1950, 535; subsections (*g*) and (*h*) added at end, 1943, 534 § 2.

SECT. 11 revised, 1941, 685 § 2; 1951, 763 § 4. (See 1951, 763 § 22.)

SECT. 12, second paragraph amended, 1959, 507 § 1; last paragraph amended, 1959, 507 § 2.

SECT. 14, first paragraph revised, 1948, 603 § 2; subsection (*a*) amended, 1948, 603 § 3; subsection (*b*) (2) revised, 1943, 534 § 1; amended, 1945, 484 § 2; 1946, 170 § 2; 1948, 537 § 1; subsection (*b*) (4), sentence added at end, 1947, 602 § 1; subsection (*b*) revised, 1949, 740 § 1; subsection (*c*) added, 1943, 534 § 1A; designations of subsections (*c*) and (*d*) changed to (*d*) and (*c*), respectively, 1943, 534 § 1B; subsection (*c*) revised, 1945, 516; paragraph in lines 48-72 revised, 1946, 360; subsection (*c*) revised, 1947, 440 § 1; 1949, 740 § 2; subsection (*e*) amended, 1948, 537 § 2; section revised, 1951, 763 § 5; 1953, 397; subsection (*b*) (1) revised, 1956, 719 § 7; subsection (*n*), paragraph (1) revised, 1958, 643 § 1; 1959, 508; paragraph (5) stricken out, 1958, 643 § 2; subsection (*o*) added, 1954, 431 § 2. (See 1947, 440 § 2, 602 § 2; 1948, 537 § 3; 1949, 740 § 3; 1951, 763 § 22; 1956, 719 § 8; 1958, 643 § 3.)

SECT. 15, subsection (*a*) amended, 1950, 232; subsection (*b*) revised, 1948, 603 § 6; subsection (*c*) revised, 1943, 373.

SECT. 22, sentence added at end, 1945, 625 § 2.

SECT. 23, subsection (*a*) revised, 1941, 685 § 3; 1951, 763 § 6; amended, 1955, 530; subsections (*b*) and (*c*) revised, 1951, 763 § 6; subsection (*e*) stricken out, 1943, 534 § 3; subsection (*f*) added, 1951, 763 § 7. (See 1951, 763 § 22.)

SECT. 24 revised, 1951, 763 § 8; first paragraph amended, 1959, 587 § 1; paragraph added at end, 1958, 437 § 1. (See 1951, 763 § 22.)

SECT. 25, subsection (*a*) amended, 1948, 421; revised, 1951, 763 § 9; subsection (*b*) amended, 1953, 464; revised, 1959, 554; subsection (*c*) amended, 1959, 533; subsection (*d*) amended, 1945, 356; revised, 1951, 763 § 9; subsection (*e*) revised, 1951, 763 § 9; 1953, 401; amended, 1956, 719 § 4; revised, 1958, 677; subsection (*f*) added, 1951, 763 § 10. (See 1951, 763 § 22; 1956, 719 § 8.)

SECT. 27 amended, 1945, 625 § 3; revised, 1948, 630; 1951, 763 § 11. (See 1951, 763 § 22.)

SECT. 28, paragraph added at end, 1954, 431 § 3.

SECT. 29, subsection (*a*) revised, 1943, 534 § 5; 1945, 484 § 1; 1946, 170 § 1; 1956, 719 § 5; 1959, 587 § 2; subsection (*b*) revised, 1951, 763 § 12; 1954, 673; subsection (*c*) added, 1946, 611; revised, 1949, 501; 1951, 763 § 12; 1954, 635; amended, 1957, 542; revised, 1958, 385; 1959, 589. (See 1951, 763 § 22; 1956, 719 § 8.)

SECT. 29A added, 1949, 421 (providing that benefits under this chapter shall not be reduced by reason of the receipt of holiday pay, so called).

SECT. 30 amended, 1945, 484 § 3; revised, 1949, 559; 1953, 410 § 1; 1956, 719 § 6; 1958, 437 § 2; first paragraph revised, 1959, 588. (See 1953, 410 § 2; 1956, 719 § 8.)

SECT. 31 revised, 1951, 763 § 13. (See 1951, 763 § 22.)

SECT. 32 repealed, 1951, 763 § 14. (See 1951, 763 § 22.)

SECT. 33 repealed, 1943, 534 § 4.

SECT. 34 repealed, 1951, 763 § 14. (See 1951, 763 § 22.)

SECT. 37 revised, 1959, 506.

SECT. 38 revised, 1951, 763 § 15; subsection (a), paragraph added at end, 1953, 560 § 2. (See 1951, 763 § 22; 1953, 560 § 3.)

SECT. 39 revised, 1949, 659; 1951, 763 § 16. (See 1951, 763 § 22.)

SECT. 40 revised, 1951, 763 § 17. (See 1951, 763 § 22.)

SECT. 42 revised, 1943, 534 § 6; fifth sentence stricken out and three sentences inserted, 1951, 763 § 18; eighth sentence revised, 1954, 681 § 12; next to last sentence stricken out and six sentences inserted, 1947, 434. (See 1951, 763 § 22; 1954, 681 §§ 20, 22.)

SECT. 44, subsection (b) revised, 1948, 603 § 4.

SECT. 45A added, 1954, 655 (requiring an employer to furnish an employee with a wage report).

SECT. 46, second sentence amended, 1954, 512; subsection (a) added, 1948, 603 § 5.

SECT. 47 revised, 1951, 763 § 19. (See 1951, 763 § 22.)

SECT. 53A added, 1957, 512 (relative to the expenditure of certain moneys credited the commonwealth under the federal social security act).

SECT. 62 amended, 1952, 394.

SECT. 66A added, 1949, 646 (authorizing the director of employment security to enter into reciprocal agreements with foreign countries relative to the administration of the employment security law).

SECT. 69, paragraph added at end, 1949, 555; section revised, 1951, 763 § 20. (See 1951, 763 § 22.)

SECT. 71 revised, 1951, 763 § 21. (See 1951, 763 § 22.)

SECT. 74 revised, 1949, 290.

Chapter 151B. — Unlawful Discrimination against Race, Color, Religious Creed, National Origin or Ancestry.

New chapter inserted, 1946, 368 § 4.

SECT. 1, subsection 4 amended, 1957, 426 § 6; subsection 5 amended, 1950, 697 § 1; subsection 8 added, 1950, 697 § 2; subsections 9, 10, 11 added, 1957, 426 § 1; subsection 12 added, 1959, 239 § 1.

SECT. 3, subsection 6 amended, 1950, 697 § 3; subsection 8 amended, 1950, 697 § 4; subsection 9 amended, 1950, 697 § 5.

SECT. 4, first sentence amended, 1957, 426 § 2; subsection 1 amended, 1950, 697 § 6; subsection 2 amended, 1950, 697 § 7; subsection 3 amended, 1950, 697 § 8; subsection 3A added, 1955, 274; subsection 6 added, 1957, 426 § 2; amended, 1959, 239 § 2; paragraph added at end, 1947, 424; 1957, 426 § 3.

SECT. 5 revised, 1950, 479 § 4; amended, 1957, 426 § 4.

SECT. 6 amended, 1957, 426 § 5; seventh sentence revised, 1954, 681 § 13. (See 1954, 681 §§ 20, 22.)

SECT. 9 amended, 1950, 697 § 9.

Chapter 151C. — Fair Educational Practices.

New chapter inserted, 1949, 726 § 2.

SECT. 1, paragraph (a) revised, 1956, 334 § 1; paragraph (c) amended, 1956, 334 § 2.

SECT. 2, paragraph (c) amended, 1956, 334 § 3.

SECT. 3, paragraph (a) amended, 1956, 334 § 4; paragraph (b) amended, 1956, 334 § 5; paragraph (c) amended, 1956, 334 § 6; paragraph (d) amended, 1956, 334 § 7; paragraph (e) amended, 1956, 334 § 8; paragraph (g) amended, 1956, 334 § 9; paragraph (h) amended, 1956, 334 § 10; paragraph (i) amended, 1956, 334 § 11; paragraph (j) amended, 1956, 334 § 12.

SECT. 4, paragraph (a) amended, 1956, 334 § 13; paragraph (b) amended, 1956, 334 § 14; paragraph (c) revised, 1954, 681 § 14; amended, 1956, 334 § 15; paragraph (d) amended, 1956, 334 § 16. (See 1954, 681 §§ 20, 22.)

SECT. 5 amended, 1956, 334 § 17.

Chapter 151D. — Health, Welfare and Retirement Funds.

New chapter inserted, 1957, 778 § 2; repealed, 1958, 655 § 2. (See 1957, 778 § 3.)

New chapter 151D (with same title) inserted, 1958, 655 § 4. (See 1958, 655 § 5.)

Chapter 152. — Workmen's Compensation.

For legislation requiring manufacturers to insure under the workmen's compensation act where employees work on machinery, see 1936, 426; repealed, 1948, 156.

SECT. 1, two sentences added at end of paragraph (1), 1935, 332 § 1; paragraph (1) revised, 1943, 529 § 1; paragraph (2) revised, 1953, 314 § 2; paragraph (3) amended, 1950, 738 § 1; paragraph (4) revised, 1935, 406; 1943, 529 § 3; 1945, 369; first paragraph of paragraph (4) amended, 1947, 215; paragraph inserted, 1951, 109 § 1; amended, 1953, 139; third paragraph of paragraph (4) revised, 1953, 656 § 1; amended, 1955, 366; revised, 1955, 755; 1956, 680; paragraph (5) revised, 1943, 529 § 1A; 1954, 265; amended, 1958, 429; paragraph (6) amended, 1943, 529 § 2; paragraph (7) revised, 1950, 277 § 2; paragraph (7A) added, 1941, 437; paragraph (7B) added, 1947, 488 § 9; same paragraph repealed, 1950, 277 § 1; paragraph (8) revised, 1953, 314 § 3. (See 1943, 529 § 14; 1951, 109 § 2.)

SECT. 2 amended, 1953, 314 § 4.

SECT. 2A added, 1946, 386 § 3 (limiting the application of certain acts in amendment of G. L. 152 increasing the amounts of compensation payable thereunder).

SECT. 4 revised, 1939, 83; 1953, 314 § 5.

SECT. 5, paragraph added at end, 1943, 359; section amended, 1953, 314 § 6.

SECT. 6 amended, 1945, 347; 1953, 314 § 6.

SECT. 7 amended, 1953, 314 § 6.

SECT. 7A added, 1947, 380 (relative to procedure in certain claims under the workmen's compensation law where employees are unable to testify).

SECT. 7B added, 1947, 455 (regulating the admissibility of certain evidence in workmen's compensation cases).

SECT. 8 amended, 1953, 314 § 6.

SECT. 8A amended, 1953, 314 § 6; 1957, 693 § 1.

SECT. 9 revised, 1949, 442; amended, 1953, 314 § 6.

SECT. 9A revised, 1938, 381; amended, 1953, 314 § 6.

SECT. 9B added, 1935, 424 (providing for the reference of certain cases under the workmen's compensation law to industrial disease referees); revised, 1938, 462; repealed, 1947, 286.

SECT. 10 revised, 1947, 546.

SECT. 11 amended, 1932, 129 § 1; first paragraph amended, 1956, 301; paragraph added at end, 1935, 484; 1939, 213 § 1; 1949, 61; 1950, 634 § 1; 1953, 288; section amended, 1953, 314 § 6; revised, 1957, 693 § 2. (See 1939, 213 § 2.)

SECT. 11A added, 1945, 444 (relieving employees and their dependents of the expenses of certain appeals in workmen's compensation cases); sentence added at end, 1949, 372; section revised, 1957, 693 § 3.

SECT. 12, last paragraph amended, 1932, 117 § 1; section amended, 1953, 314 § 6. (See 1932, 117 § 2; 1935, 351.)

SECT. 12A added, 1959, 585 (compensating an injured employee for reasonable costs resulting from proceedings to discontinue compensation).

SECT. 13, sentence added at end, 1933, 68; section amended, 1953, 314 § 6.

SECT. 14 amended, 1953, 314 § 6.

SECT. 15 revised, 1939, 401; 1943, 432.

SECT. 15A amended, 1934, 252; 1955, 174 § 5.

SECTS. 16 and 17 amended, 1953, 314 § 6.

SECT. 18, sentence added at end, 1938, 102; section amended, 1939, 93.

SECT. 19, paragraph in lines 17 and 18 revised, 1935, 339; same paragraph revised, 1939, 245; paragraph in lines 19-22 revised, 1955, 174 § 1; paragraph added at end, 1941, 379 § 11; section amended, 1953, 314 § 6; last paragraph revised, 1955, 174 § 2.

SECT. 19A added, 1935, 359 (requiring certain notices from employers not insured under the workmen's compensation law); repealed, 1948, 158.

SECT. 19B added, 1941, 410 (requiring the posting of notices by certain employers not covering their employees by workmen's compensation insurance); repealed, 1948, 157.

SECT. 20 revised, 1935, 340; amended, 1945, 464; last two sentences revised, 1946, 390; section revised, 1949, 276; amended, 1953, 314 § 6.

SECT. 20A added, 1945, 468 (requiring employers and certain insurers who maintain clinics, etc., for the treatment of injured employees, to furnish such employees with copies of all medical examinations); revised, 1954, 194.

SECT. 21 amended, 1943, 529 § 4. (See 1943, 529 § 14.)

SECT. 22 amended, 1943, 529 § 13; 1953, 314 § 6. (See 1943, 529 § 14.)

SECT. 23 revised, 1943, 529 § 5; amended, 1953, 314 § 6. (See 1943, 529 § 14.)

SECT. 24 amended, 1943, 529 § 6; 1955, 174 § 5. (See 1943, 529 § 14.)

SECTS. 25A-25D added, 1943, 529 § 7, under caption "COMPULSORY COMPENSATION AND SELF-INSURANCE." (See 1943, 529 § 14.)

SECT. 25A, paragraph (2) amended, 1949, 441 § 1; paragraph (2) (a) amended, 1945, 316; sixth sentence revised, 1946, 472 § 1; paragraph (2) (a) revised, 1949, 441 § 2; paragraph (2) (b), first sentence revised, 1945, 518; 1946, 472 § 2; paragraph (2) (b) revised, 1949, 441 § 3; paragraph (2) (c) revised, 1945, 344; 1948, 176; 1949, 441 § 4; amended, 1950, 351; revised, 1955, 174 § 3.

SECT. 25C, two sentences added at end, 1951, 689; next to last sentence revised, 1953, 330; section amended, 1955, 174 § 5.

SECT. 25D amended, 1955, 174 § 5.

SECT. 26 amended, 1937, 370 § 1; revised, 1943, 302, 529 § 8; paragraph added at end, 1945, 623 § 1; section amended, 1955, 174 § 5. (See 1943, 529 § 14.)

SECT. 26A added, 1937, 370 § 2 (providing for payment of workmen's compensation in certain cases of suicide).

SECT. 26B added, 1957, 276 (apportioning liability under the workmen's compensation act when the injured employee is in the concurrent service of two or more employers).

SECT. 27 revised, 1935, 331.

SECT. 28 amended, 1934, 292 § 2; revised, 1943, 529 § 9. (See 1943, 529 § 14.)

SECT. 29 revised, 1935, 372; 1937, 382; amended, 1949, 471; 1951, 135; 1953, 314 § 6.

SECT. 30 revised, 1936, 164; 1943, 181; 1946, 233 § 1; sentence added at end, 1948, 159; section amended, 1953, 314 § 6. (See 1946, 233 § 2.)

SECTS. 30A-30C added, 1950, 767 § 2 (prescribing duties of the rehabilitation commission in the department of industrial accidents).

SECT. 30A amended, 1952, 630 § 11; first sentence revised, 1956, 602 § 14. (See 1956, 602 §§ 17-20.)

SECT. 30B amended, 1953, 314 § 6; revised, 1956, 602 § 15. (See 1956, 602 §§ 17-20.)

SECT. 30D added, 1956, 602 § 16 (relative to the furnishing of certain information to the industrial accident rehabilitation board by self insurers and insurers).

SECT. 31, first paragraph amended, 1934, 250; 1950, 738 § 2; paragraph contained in the sixth to the forty-fourth lines revised, 1937, 325; same paragraph amended, 1943, 368; revised, 1945, 572; 1948, 666; 1950, 357; 1956, 588; 1959, 530; last paragraph revised, 1943, 400; amended, 1950, 738 § 3; revised, 1951, 98; section amended, 1955, 174 § 5.

SECT. 32, paragraph (c) amended, 1950, 282 § 2; paragraph (d) revised, 1947, 450; amended, 1949, 281; 1950, 282 § 3; new paragraph added, 1935, 361 (relative to payments under the workmen's compensation law to dependents of deceased minor employees); amended, 1950, 738 § 4.

SECT. 33 revised, 1939, 81; 1941, 495; amended, 1948, 155; 1949, 258; revised, 1957, 270.

SECT. 34 revised, 1935, 332 § 2; 1941, 624; 1945, 717; 1946, 321 § 1; amended, 1947, 665; 1949, 520 § 1; revised, 1955, 777 § 1; amended, 1956, 735 § 1; revised, 1958, 665 § 1; 1959, 566 § 1. (See 1946, 321 § 4; 1956, 735 § 4.)

SECT. 34A added, 1935, 364 (providing for payments for total and permanent disability under the workmen's compensation law, and establishing methods of determining the same); amended, 1943, 276; revised,

1945, 717; first paragraph revised, 1946, 321 § 2; amended, 1949, 520 § 2; revised, 1955, 777 § 2; first sentence amended, 1956, 735 § 2; revised, 1958, 665 § 2; 1959, 566 § 2. (See 1946, 321 § 4; 1956, 735 § 4.)

SECT. 35 amended, 1943, 299; revised, 1945, 717; 1946, 321 § 3; amended, 1949, 520 § 3; revised, 1955, 777 § 3; 1958, 665 § 3; 1959, 566 § 3. (See 1946, 321 § 4.)

SECT. 35A added, 1945, 717 (providing for an increase in certain weekly benefits under the workmen's compensation law in certain cases); revised, 1946, 553; paragraph (c) revised, 1950, 282 § 1; section amended, 1953, 314 § 6; 1956, 735 § 3; revised, 1957, 641; amended, 1959, 566 § 4. (See 1956, 735 § 4.)

SECT. 36, paragraph (j) revised, 1933, 257; section revised, 1935, 333; paragraph (b) amended, 1947, 664 § 1; paragraph (d) amended, 1947, 634 § 1; paragraph (c) amended, 1947, 634 § 2; paragraph (f) amended, 1946, 386 § 1; paragraph added at end of section, 1947, 634 § 3. (See 1946, 386 § 2; 1947, 664 § 2.)

SECT. 36 stricken out and sections 36 and 36A inserted, 1949, 519 (increasing the benefits payable under the workmen's compensation law for certain injuries).

SECT. 36, paragraph (d) revised, 1959, 230; paragraph (f) revised, 1959, 545 § 1; paragraphs (h) and (i) revised, 1952, 60; paragraphs (n) and (o) revised, 1959, 545 § 2; paragraph (q) revised, 1952, 84; paragraphs (s) and (t) inserted, 1959, 545 § 3; paragraph added at end, 1953, 64; amended 1959, 199.

SECT. 36A revised, 1950, 445; 1951, 494.

SECT. 37 amended, 1937, 321; revised, 1950, 527; amended, 1957, 287.

SECT. 37A added, 1945, 623 § 2 (relative to payments to disabled war veterans subsequently injured in industry).

SECT. 39 amended, 1937, 317.

SECT. 45, paragraph added at end, 1951, 662; section amended, 1955, 174 § 5.

SECT. 46 amended, 1941, 378; 1945, 623 § 2A; 1953, 314 § 6.

SECTS. 48 and 49 amended, 1953, 314 § 6.

SECT. 50 revised, 1953, 670.

SECT. 52 revised, 1947, 619 § 1. (See 1947, 619 § 3.)

SECT. 52A added, 1939, 465 § 2 (relative to insuring against silicosis and other occupational pulmonary dust diseases); repealed, 1957, 301. (See 1939, 465 § 4.)

SECT. 52B added, 1945, 581 (relative to the payment of premiums for workmen's compensation insurance in certain cases).

SECTS. 52C-52G added, 1947, 619 § 2 (relative to rates for workmen's compensation insurance). (See 1947, 619 § 3.)

SECT. 52F, paragraph (c) amended, 1954, 681 § 15. (See 1954, 681 §§ 20, 22.)

SECT. 54A added, 1935, 425 (relative to safeguarding and extending the workmen's compensation law by making void certain contracts or agreements in the nature of insurance which do not insure the payment of the compensation provided for by said law); revised, 1957, 275.

SECT. 55, second paragraph revised, 1934, 137 § 1.

SECT. 57 amended, 1955, 174 § 5.

SECT. 58 amended, 1955, 174 § 5.

SECT. 59 amended, 1953, 314 § 6.

SECTS. 62 and 63 amended, 1953, 314 § 6.

SECT. 65 amended, 1935, 395; 1936, 162; 1937, 394; revised, 1939, 465 § 3; amended, 1943, 367; second sentence amended, 1950, 634 § 2; section amended, 1955, 174 § 5, 234 § 2. (See 1939, 465 § 4.)

SECTS. 65A-65M added, under caption, 1939, 489 (providing for the equitable distribution of rejected risks among insurers of workmen's compensation, and the pooling of losses in connection with such risks).

SECTS. 65A and 65B amended, 1953, 314 § 6.

SECT. 65M amended, 1953, 314 § 6.

SECT. 65N added, 1945, 623 § 3 (establishing a special fund to encourage the employment in industry of disabled war veterans); amended, 1949, 689; 1955, 174 § 5.

SECT. 66 revised, 1943, 529 § 9A; 1959, 478. (See 1943, 529 § 14.)

SECT. 67 revised, 1943, 529 § 10; first sentence revised, 1953, 656 § 2. (See 1943, 529 § 14.)

SECT. 68 revised, 1943, 529 § 11; amended, 1947, 506 § 4; revised, 1949, 427 § 8. (See 1943, 529 § 14; 1949, 427 § 11.)

SECT. 69 revised, 1933, 318 § 7; 1936, 260; amended, 1936, 403; revised, 1939, 435; last sentence revised, 1939, 468; section amended, 1941, 614; 1945, 729; 1946, 422; second sentence revised, 1947, 590; paragraph added at end, 1951, 610 § 2; section revised, 1959, 555.

SECT. 69A added, 1933, 315 (regulating workmen's compensation payments by the commonwealth); amended, 1953, 314 § 6.

SECT. 69B added, 1936, 427 (further regulating workmen's compensation payments by the commonwealth); amended, 1955, 174 § 5.

SECT. 70 amended, 1953, 314 § 6.

SECT. 73, first sentence amended, 1936, 318 § 4; 1937, 336 § 23; first sentence stricken out and paragraph inserted, 1941, 379 § 12; first two sentences revised, 1950, 209.

SECT. 73A added, 1941, 649 (to provide for the employment of partially disabled public employees and temporary filling of their original positions).

SECT. 74 amended, 1939, 451 § 57; 1941, 344 § 26; sentence added at end, 1953, 501.

SECT. 74A added, 1955, 681 (extending workmen's compensation to employees furnishing aid to other governmental units).

SECT. 75 revised, 1932, 19; amended, 1951, 610 § 1; 1954, 680 § 8; 1955, 174 § 4, 643 § 11. (See 1955, 643 § 12.)

SECTS. 76-85 added, 1939, 465 § 1 (providing workmen's compensation benefits for employees in the granite industry contracting silicosis and other occupational pulmonary dust diseases). (See 1939, 465 § 4; 1950, 220.)

SECTS. 76-85 stricken out and section 76 inserted, 1950, 220.

For prior changes see Table of Changes contained in Acts and Resolves of 1954.

SECT. 76 repealed, 1955, 234 § 1.

Chapter 153. — Liability of Employers to Employees for Injuries not resulting in Death.

SECT. 6 amended, 1935, 387; first sentence revised, 1947, 506 § 5; 1949, 427 § 9. (See 1949, 427 § 11.)

Chapter 154. — Assignment of Wages.

SECT. 2 revised, 1948, 550 § 31; amended, 1956, 689 § 6. (See 1956, 689 § 9.)

SECT. 8 added, 1933, 96 (exempting orders for payment of labor or trade union or craft dues or obligations from the operation of the laws regulating assignments of wages); amended, 1939, 125; 1948, 117; revised, 1950, 204; 1951, 239; amended, 1955, 631; 1956, 244 § 3; revised, 1958, 52 § 1. (See 1958, 52 § 2.)

Chapter 155. — General Provisions relative to Corporations.

SECT. 1 revised, 1935, 297 § 1. (See 1935, 297 § 3.)

SECT. 2A added, 1955, 490 (to provide for the certification and recording of evidence of the incorporation of church or cemetery corporations).

SECT. 2B added, 1958, 441 (relative to the approval of certain proposed corporations).

SECT. 6, sentence added at end, 1949, 105.

SECT. 9 amended, 1938, 327 § 1; revised, 1943, 295; first sentence revised, 1953, 32. (See 1938, 327 § 2.)

SECT. 10 amended, 1933, 11; third sentence revised, 1943, 549 § 4; fifth sentence revised, 1957, 698 § 2.

SECT. 12A added, 1938, 164 § 1 (making permanent certain provisions of law authorizing domestic corporations to contribute to certain funds for the benefit of social and economic conditions); amended, 1946, 278. (See 1938, 164 § 2.)

SECT. 12B added, 1947, 488 § 5 (empowering corporations to participate as subscribers in the exchanging of reciprocal or inter-insurance contracts).

SECT. 12C added, 1953, 415 (authorizing corporations to make contributions for charitable, scientific or educational purposes).

SECT. 13, sentence added at end, 1949, 695.

SECT. 15 revised, 1939, 14.

SECT. 22, paragraph added at end, 1953, 185; same paragraph revised, 1954, 50.

SECT. 23A added, 1935, 297 § 2 (regulating sales of stocks, bonds and other securities of corporations to their employees); repealed, 1938, 445 § 13. (See 1935, 297 § 3; G. L. chapter 110A, § 11A, inserted by 1938, 445 § 9.)

SECTS. 24-44 repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

SECT. 46, first sentence stricken out, 1957, 765 § 7. (See 1957, 765 § 21.)

SECT. 50 amended, 1933, 66.

SECT. 50A added, 1939, 456 § 1 (relative to the dissolution of domestic corporations); amended, 1943, 383.

SECT. 51A added, 1958, 204 (providing for the distribution of the assets of certain corporations upon petition to the supreme judicial or superior courts).

SECT. 56, first sentence revised, 1939, 456 § 2; 1953, 31.

Chapter 156. — Business Corporations.

SECT. 5 amended, 1939, 301 § 1.

SECT. 6, clause (e) amended, 1939, 15 § 1.

SECT. 12, form of certificate revised, 1932, 67; section revised, 1959, 327 § 1. (See 1959, 327 § 2.)

SECT. 30 amended, 1937, 52.

SECT. 32 revised, 1955, 173; 1956, 375.

SECT. 36 revised, 1941, 514 § 1.

SECT. 41 revised, 1932, 136.

SECT. 41B added, 1951, 498 (authorizing changes of shares of par value stock into a greater number or the exchange thereof for a greater number).

SECT. 41C added, 1951, 565 § 1 (authorizing changes of stock without par value to shares with par value).

SECT. 42 amended, 1943, 38 § 1.

SECT. 44 amended, 1951, 565 § 2.

SECT. 45 amended, 1951, 565 § 3.

SECT. 46, sentence added at end, 1943, 38 § 2.

SECTS. 46A-46E added, under the heading "MERGER AND CONSOLIDATION", 1941, 514 § 2.

SECT. 46A revised, 1948, 524; last paragraph amended, 1959, 180 § 1.

SECT. 46B, paragraph contained in lines 102-108 revised, 1943, 405 § 1; 1947, 543 § 1; sixth paragraph amended, 1959, 180 § 2.

SECT. 46D, subsection 2 of paragraph (b) amended, 1954, 57; 1958, 2; paragraph contained in lines 64-73 revised, 1943, 405 § 2; 1947, 543 § 2; fifth paragraph amended, 1959, 180 § 3.

SECT. 46F added, 1959, 180 § 4 (providing for the issuance of certain certificates by the secretary of state for filing in registries of deeds and town clerks' offices as evidence of mergers and consolidations of corporations).

SECT. 49 revised, 1941, 276; first sentence revised, 1948, 118.

SECT. 53 amended, 1957, 698 § 3.

SECT. 54 amended, 1932, 180 § 30; paragraph added at end, 1951, 565 § 4.

SECT. 55 amended, 1952, 314; revised, 1955, 338; amended, 1957, 698 § 4.

Chapter 157. — Co-operative Corporations.

SECT. 3, second sentence revised, 1949, 378 § 1.

SECT. 3A added, 1949, 378 § 2 (authorizing the forming of corporations to conduct a housing business on the co-operative plan).

SECT. 4 revised, 1949, 378 § 3; first sentence revised, 1958, 26.

SECT. 6 amended, 1949, 378 § 4; paragraph 4 revised, 1949, 378 § 5.

SECT. 7 amended, 1957, 698 § 5.

SECT. 9 amended, 1949, 378 § 6; 1957, 698 § 6.

SECT. 13 amended, 1954, 23.

SECT. 16, last sentence amended, 1932, 180 § 31.

Chapter 158. — Certain Miscellaneous Corporations.

SECT. 43, last paragraph amended, 1953, 282; section revised, 1957, 698 § 7.

Chapter 159. — Common Carriers.

SECT. 12, paragraph (a) revised, 1945, 175.

SECT. 14A added, 1941, 713 (authorizing the department of public utilities to regulate rates for the transportation of persons or property within the commonwealth by common carriers by aircraft).

SECT. 15, paragraph added at end, 1937, 247; same paragraph stricken out, 1938, 155 § 2; section amended, 1951, 681, 726.

SECT. 16A added, 1938, 243 (relative to the discontinuance of service by railroads).

SECT. 20 amended, 1939, 18.

SECT. 21, sentence inserted after first sentence, 1946, 214.

SECT. 24, second sentence revised, 1945, 647 § 1.

SECT. 27 revised, 1945, 647 § 2.

SECT. 28 revised, 1945, 647 § 3.

SECT. 29 revised, 1945, 647 § 4.

SECT. 30 revised, 1945, 647 § 5.

SECT. 32, first sentence revised, 1945, 199.

SECT. 34A added, 1945, 577 (relative to affiliated companies of common carriers).

SECTS. 55-56 repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

SECT. 59 revised, 1933, 326 § 1.

SECT. 60 amended, 1933, 326 § 2; 1941, 233.

SECT. 61 amended, 1933, 326 § 3; 1946, 437 § 1.

SECT. 62 amended, 1933, 326 § 4; 1946, 437 § 2.

SECT. 63 amended, 1946, 437 § 3.

SECT. 65 amended, 1937, 270.

SECT. 70 revised, 1934, 357 § 1.

SECT. 80 amended, 1934, 357 § 2.

SECT. 89 revised, 1936, 363 § 1; amended, 1951, 24 § 1; 1953, 42 § 1. (See 1953, 42 § 4.)

SECT. 90 revised, 1936, 363 § 2; amended, 1951, 24 § 2.

SECT. 91 revised, 1936, 363 § 3.

SECT. 92 amended, 1936, 363 § 4; 1951, 24 § 3.

SECT. 93 amended, 1936, 363 § 5; 1951, 24 § 4.

SECT. 94 amended, 1936, 363 § 6; 1951, 24 § 5; 1953, 319 § 23. (See 1953, 319 §§ 39, 40.)

SECT. 95 amended, 1951, 24 § 6.

SECT. 98 amended, 1948, 550 § 32.

SECT. 99 amended, 1948, 550 § 33.

SECT. 101 revised, 1950, 116.

SECT. 103 amended, 1933, 10; 1941, 54; 1943, 322 § 1.

SECT. 104, first sentence revised, 1950, 117 § 1; 1959, 234. (See 1950, 117 § 2.)

Chapter 159A. — Common Carriers of Passengers by Motor Vehicle.

Title amended, and headings, "PART I", "CARRIERS OF PASSENGERS BY MOTOR VEHICLE", inserted before section 1, 1933, 372 § 1; repealed, 1934, 264 § 5.

SECT. 1 revised, 1948, 550 § 34; 1949, 297 § 11; amended, 1956, 99.

SECT. 2 revised, 1947, 258 § 1. (See 1947, 258 § 2.)

SECT. 4, first sentence stricken out and three sentences inserted, 1945, 318 § 1. (See 1945, 318 § 2.)

SECT. 7, paragraph added at end, 1956, 329.

SECT. 7A added, 1949, 449 (relative to the transfer of certificates, licenses and permits issued for certain common carriers); first sentence revised, 1952, 355; second paragraph amended, 1951, 160; two sentences added at end, 1954, 281.

SECT. 10, paragraph added at end, 1945, 585.

SECT. 11A added, 1939, 404 § 1 (placing special and chartered buses, so called, under the supervision of the department of public utilities); amended, 1941, 480; revised, 1947, 482 § 1; first sentence revised, 1953, 268 § 1; first paragraph revised, 1954, 319 § 1; second paragraph revised, 1954, 319 § 2; third paragraph amended, 1948, 484; 1950, 501; 1951, 161; 1954, 307. (See 1939, 404 § 2; 1947, 482 § 2; 1953, 268 § 2; 1954, 319 § 3.)

SECT. 15 revised, 1949, 609.

SECTS. 17-30 added, under captions, 1933, 372 § 2 (regulating carriers of property by motor vehicle); repealed, 1934, 264 § 5.

Chapter 159B. — Carriers of Property by Motor Vehicle.

New chapter inserted, 1934, 264 § 1.

Chapter stricken out and new chapter 159B (with same title) inserted, 1938, 483 § 1. (See 1938, 483 §§ 2-5.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to chapter 159B, as so inserted:

SECT. 2, definition of "Irregular route common carrier" revised, 1941, 653 § 2; definition of "Regular route common carrier" revised and paragraph defining "Regular routes" added, 1941, 653 § 3; definition of "Agricultural carrier by motor vehicle" inserted, 1941, 704 § 1; definitions of "Contract carrier by motor vehicle", "Motor carrier" and "Permit" revised, 1941, 704 § 2; definition of "Motor Carrier" revised, 1951, 664 § 3; definition of "Property" inserted, 1949, 346 § 1; revised, 1954, 87; 1956, 266; definition of "Motor Vehicle" stricken out and definition of "Commercial Motor Vehicle" inserted, 1951, 664 § 1; definition of "Private Carrier" inserted, 1951, 664 § 2; revised, 1952, 483; 1955, 569. (See 1941, 704 § 4.)

SECT. 3, introductory paragraph amended, 1945, 400 § 1; paragraph (b) revised, 1941, 592 § 1; paragraph (c) revised, 1945, 400 § 2; amended, 1946, 420 § 1; revised, 1947, 52 § 1; amended, 1959, 543 § 1; paragraph (d) revised, 1950, 189. (See 1945, 400 § 8; 1946, 420 § 2; 1947, 52 § 2.)

SECT. 4, second paragraph revised, 1945, 400 § 3; third paragraph revised, 1941, 592 § 2; paragraph added at end, 1951, 384 § 1. (See 1951, 384 § 2.)

SECT. 5, third paragraph amended, 1959, 543 § 2.

SECT. 6, fifth paragraph amended, 1951, 664 § 4; stricken out, 1955, 353 § 1.

SECT. 6A added, 1955, 353 § 2 (relative to the responsibility for illegal rate practices by common carriers by motor vehicle); second paragraph amended, 1956, 217.

SECT. 7, paragraph (a) revised, 1939, 171; amended, 1950, 187; paragraph (b) amended, 1945, 343.

SECT. 9 amended, 1941, 483 § 1; 1946, 376 § 1; sentence added at end, 1947, 52 § 3; section revised, 1954, 553.

SECT. 10, paragraph added at end, 1939, 306; amended, 1941, 483 § 2; paragraph added at end, 1945, 379; section amended, 1946, 376 § 2; first paragraph amended, 1954, 481; second paragraph revised, 1953, 423.

SECT. 10A added, 1939, 322 (relative to replacing lost or mutilated plates and lost or destroyed certificates, permits and licenses issued to carriers of property by motor vehicle); sentence added at end, 1945, 644 § 1; section revised, 1953, 309; sentence inserted before first sentence, 1954, 288.

SECT. 10B added, 1946, 376 § 3 (relative to the issuance of certain distinguishing plates to carriers of property by motor vehicle and to the use of such plates); revised, 1954, 440.

SECT. 11 amended, 1941, 483 § 3; first sentence of first paragraph revised, 1948, 616 § 1; amended, 1950, 186; second sentence of last paragraph revised, 1945, 644 § 2; same sentence revised, 1948, 616 § 2; paragraph added at end, 1951, 158.

SECT. 11A added, 1956, 601 (to authorize a conditional transfer of a certificate, permit or license to a temporary vendee or lessee of interstate motor carriers duly approved by the interstate commerce commission).

SECT. 12, first paragraph revised, 1941, 653 § 4; second sentence amended, 1945, 400 § 4; second paragraph revised, 1954, 293.

SECT. 12A added, 1957, 165 (authorizing the director of the commercial motor vehicle division of the department of public utilities to destroy or dispose of certain obsolete records and plates).

SECT. 13 amended, 1941, 692; 1945, 400 § 5; first sentence revised, 1951, 262; 1959, 543 § 3.

SECT. 14 amended, 1941, 653 § 5; 1945, 400 § 6; 1949, 346 § 2.

SECT. 14 stricken out and sections 14-14B inserted, 1951, 664 § 5 (relative to the powers and duties of investigators and examiners of the commercial motor vehicle division of the department of public utilities).

SECT. 14B amended, 1952, 255.

SECT. 15A added, 1941, 704 § 3 (relative to agricultural carriers of property by motor vehicles). (See 1941, 704 § 4.)

SECT. 16A added, 1939, 307 (giving the department of public utilities authority to obtain certain information of persons engaged in leasing motor vehicles for the transportation of property for hire).

SECT. 17 revised, 1951, 664 § 6.

SECT. 19 amended, 1949, 187.

SECT. 21, first paragraph amended, 1951, 664 § 7; second paragraph amended, 1950, 194.

Chapter 160. — Railroads.

SECT. 38 revised, 1946, 226.

SECT. 65A added, 1958, 562 (authorizing railroad corporations to hold stock in railroad car and equipment companies).

SECT. 65B added, 1959, 222 (authorizing railroad corporations to hold stock in certain companies).

SECT. 68 revised, 1943, 33.

SECT. 70 amended, 1932, 238.

SECT. 70A revised, 1932, 236; amended, 1934, 264 § 3.

SECT. 85 amended, 1941, 53.

SECT. 102 amended, 1941, 496 § 1.

SECT. 104 revised, 1933, 176; two sentences inserted after second sentence, 1955, 231.

SECT. 106 revised, 1953, 332.

SECT. 127A added, 1957, 156 (authorizing the department of public utilities to exempt railroads from certain provisions of law relating to drawbridges if such drawbridges have not been opened for five years).

SECT. 128A added, 1957, 159 (to prohibit railroad corporations from eliminating passenger train service without a prior public hearing).

SECT. 131A added, 1948, 639 (authorizing certain corporations to own and operate railroad terminal facilities).

SECT. 133A added, 1955, 491 (relative to switch stands on railroad tracks).

SECT. 134 amended, 1941, 273 § 1; revised, 1953, 216.

SECT. 134A added, 1950, 815 § 1 (relative to the proper clearance of tracks in railroad yards); amended, 1953, 667; sentence added at end, 1954, 239; section revised, 1956, 240 § 1. (See 1956, 240 § 2.)

SECT. 138 amended, 1941, 273 § 2.

SECT. 142 amended, 1938, 29; revised, 1947, 584 § 1; second and third sentences revised, 1951, 461 § 1. (See 1947, 584 § 2; 1951, 461 § 2.)

SECT. 144 revised, 1945, 301.

SECT. 147 revised, 1947, 498.

SECT. 163A added, 1952, 430 § 1 (requiring track motor cars operated by railroads to be equipped with windshields and tops). (See 1952, 430 § 2.)

SECT. 167 amended, 1941, 273 § 3.

SECT. 176A added, 1951, 174 § 1 (requiring lights on track motor cars operated by railroads). (See 1951, 174 § 2.)

SECT. 185A added, 1943, 333 (providing that railroad and terminal corporations shall provide reasonable lavatory and sanitary facilities for their employees); repealed, 1955, 669 § 3.

SECT. 198A. See 1936, 267.

SECT. 198B added, 1936, 267 (prohibiting the scalping, so called, of tickets issued by railroad corporations).

SECT. 219 amended, 1953, 42 § 2. (See 1953, 42 § 4.)

SECT. 220 amended, 1953, 42 § 3. (See 1953, 42 § 4.)

SECT. 232 amended, 1947, 506 § 6; revised, 1949, 427 § 10; 1958, 238 § 9. (See 1949, 427 § 11; 1958, 238 § 10.)

SECT. 235 amended, 1941, 490 § 38.

SECT. 245 amended, 1941, 273 § 4, 496 § 2.

Chapter 161. — Street Railways.

Name of Metropolitan Transit District changed to Boston Metropolitan District, and authority to issue notes and bonds defined, 1932, 147.

Temporary act, extending to January 15, 1939, the period of public control and management of the Eastern Massachusetts Street Railway Company, 1933, 108; further extension of five years, 1938, 173; further extension of five years, 1943, 98.

Temporary acts relative to the purchase of bonds of the Boston Elevated Railway Company by the Boston Metropolitan District, 1933, 235; 1934, 334; 1935, 451; 1936, 308; 1937, 357; 1941, 567; 1947, 92.

Act providing for the creation of the Metropolitan Transit Authority and the acquisition and operation by it of the entire assets, property and franchises of the Boston Elevated Railway Company, 1947, 544.

SECT. 20A amended, 1939, 28.

SECT. 35 amended, 1943, 342.

SECT. 42, third sentence amended, 1934, 328 § 20.

SECT. 44 amended, 1934, 264 § 4.

SECT. 69A added, 1954, 576 (authorizing the merger of certain associations or trusts with street railway companies).

SECT. 77 revised, 1934, 310 § 1.

SECT. 86 revised, 1934, 310 § 2.

SECT. 91A added, 1935, 101 (relative to the number of guards on passenger trains operated by street railway companies).

SECT. 94 revised, 1950, 118.

SECT. 107, first paragraph amended, 1946, 253.

Chapter 163. — Trackless Trolley Companies.

SECT. 12 added, 1932, 185 (requiring trackless trolley companies to furnish security for civil liability on account of personal injuries or property damage caused by their vehicles).

SECT. 13 added, 1943, 141 (providing a penalty for the improper operation of trackless trolley vehicles, so called).

Chapter 164. — Manufacture and Sale of Gas and Electricity.

For legislation authorizing compacts relative to the interstate transmission of electricity and gas, see 1933, 294.

SECT. 4 amended, 1938, 44.

SECT. 6, paragraph (*e*) revised, 1947, 48.

SECT. 13 revised, 1950, 237; 1953, 85.

SECT. 14 amended, 1935, 222.

SECT. 15 revised, 1950, 393; first sentence revised, 1955, 188.

SECT. 17A added, 1932, 132 (regulating the lending of money by gas and electric companies); revised, 1954, 95 § 1. (See 1954, 95 § 2.)

SECT. 19, sentence inserted after first sentence, 1953, 328.

SECT. 31 amended, 1939, 301 § 2.

SECT. 33 amended, 1932, 180 § 32; 1953, 283.

SECT. 34 amended, 1937, 235 § 1. (See 1937, 235 § 2.)

SECT. 56, first sentence amended, 1958, 160.

SECT. 59 revised, 1953, 502.

SECT. 69A added, 1950, 419 (authorizing the purchase, sale and distribution of natural gas by certain cities and towns).

SECTS. 69A–69E added, 1958, 311, under caption “TRAINING AND EMPLOYMENT OF CADET ENGINEERS IN MUNICIPAL GAS AND LIGHT PLANTS”.

SECT. 69A, as appearing in 1958, 311, amended, 1958, 564 § 1.

SECT. 69B amended, 1958, 564 § 2.

SECT. 69C amended, 1958, 564 § 3.

SECT. 69E amended, 1958, 564 § 4.

SECTS. 69A-69E, inclusive, added by 1958, 311, renumbered sections 69B-69F, inclusive, 1958, 564 § 5.

SECT. 69D, fourth paragraph revised, 1959, 58.

SECT. 70A revised, 1948, 550 § 35.

SECTS. 75B-75D added, under caption, 1950, 462 (relative to natural gas pipe line companies).

SECT. 75E added, 1951, 574 § 1 (providing for rules and regulations relative to the transmission, distribution and use of natural gas). (See 1951, 574 § 2.)

SECT. 75F added, 1952, 192 (providing a penalty for failure of natural gas pipe line companies to restore properties to reasonable condition).

SECT. 75G added, 1953, 132 § 1 (requiring natural gas pipe line companies to mark location of underground pipes, equipment and structures on certain land). (See 1953, 132 § 2.)

SECT. 76A added, 1935, 335 § 1 (giving to the department of public utilities supervision over certain affiliates of gas and electric companies).

SECT. 76B added, 1958, 552 (regulating the construction of ways over, across or along high pressure gas mains).

SECT. 84A added, 1934, 202 § 1 (requiring gas and electric companies to make additional annual returns).

SECT. 85, second paragraph amended, 1935, 335 § 2.

SECT. 85A added, 1933, 202 § 1 (requiring the filing with the department of public utilities of certain contracts of gas and electric companies with affiliated companies).

SECT. 94, paragraph in lines 29-37 amended, 1939, 178 § 1; section amended, 1948, 471. (See 1939, 178 § 2.)

SECT. 94A amended, 1941, 400 § 1.

SECT. 94B amended, 1941, 400 § 2.

SECT. 94C added, 1935, 227 (relative to payments, charges, contracts, purchases, sales or obligations or other arrangement between gas or electric companies and affiliated companies, and the burden of proving the reasonableness thereof).

SECT. 94D added, 1936, 243 (prohibiting gas and electric companies from collecting penalty charges for delinquency in the payment of bills for gas or electricity used for domestic purposes).

SECT. 94E added, 1941, 400 § 3 (relative to notice of the termination of certain contracts of gas and electric companies).

SECT. 94F added, 1953, 331 (providing for refunds by gas companies in certain cases).

SECT. 96 revised, 1939, 229 § 1.

SECT. 97 amended, 1943, 55.

SECT. 100 revised, 1950, 94.

SECT. 102 revised, 1939, 229 § 2.

SECT. 104 revised, 1957, 696.

SECT. 105 repealed, 1956, 28.

SECT. 105A added, 1932, 119 (regulating the storage, transportation and distribution of gas).

SECT. 115A added, 1936, 259 § 1 (requiring the periodic replacement of meters for measuring gas); amended, 1937, 40 § 1; paragraph added at end, 1952, 520 § 1. (See 1936, 259 §§ 2, 3; 1937, 40 §§ 2, 3; 1952, 520 § 2.)

SECT. 119 revised, 1934, 365.

SECT. 119A added, 1936, 76 § 1 (requiring bills for gas or electricity used for domestic purposes to be itemized); revised, 1939, 145 § 1. (See 1936, 76 § 2; 1939, 145 § 2.)

SECT. 120, fifth sentence revised, 1953, 154.

SECT. 124 amended, 1935, 237, 376 § 2; 1952, 102.

SECT. 124A added, 1935, 376 § 1 (relative to the shutting off of gas or electric service in homes where there is serious illness).

Chapter 165. — Water and Aqueduct Companies.

SECT. 2 amended, 1955, 187; 1958, 527 § 2.

SECT. 2A added, 1954, 610 (relative to the filing of schedules of water rates, prices and charges of water districts with the department of public utilities).

SECT. 4A added, 1933, 202 § 2 (requiring the filing with the department of public utilities of certain contracts of water companies with affiliated companies).

SECT. 4B added, 1958, 353 (authorizing certain water companies or corporations to take by eminent domain certain property, rights and easements).

SECT. 10 amended, 1958, 527 § 3.

SECTS. 11A–11C added, 1957, 220 (relative to the authority of water companies to discontinue or shut off or refuse to furnish water service).

SECT. 19 repealed, 1941, 275 § 1.

SECT. 28 added, under caption, 1941, 275 § 2 (further regulating the acquisition and holding of real estate by water and aqueduct companies).

Chapter 166. — Telephone and Telegraph Companies, and Lines for the Transmission of Electricity.

SECT. 12A added, 1934, 202 § 2 (requiring telephone and telegraph companies to make additional annual returns).

SECT. 15A added, 1935, 242 (regulating charges by telephone companies for the use of hand sets, so called).

SECT. 15B added, 1939, 162 (authorizing the sale and transfer of property and the transfer of locations by domestic telephone and telegraph companies to domestic or foreign telephone and telegraph companies and validating certain locations so transferred).

SECT. 15C added, 1955, 120 (relating to priority of emergency calls on party line telephones).

SECT. 21 amended, 1939, 161; revised, 1951, 476 § 1.

SECT. 22, second paragraph amended, 1932, 36; third paragraph revised, 1948, 550 § 36.

SECT. 22A added, 1932, 266 (relative to the placing underground of certain wires); revised, 1933, 251.

SECT. 25 revised, 1951, 476 § 2.

SECT. 28 revised, 1948, 550 § 37.

SECT. 29 revised, 1951, 476 § 3.

SECT. 32 revised, 1949, 529.

SECT. 35 revised, 1951, 476 § 4.

SECT. 36 amended, 1951, 476 § 5.

SECT. 39 revised, 1958, 130.

Chapter 167. — Banks and Banking.

For temporary act, providing for the establishment of a fund for the insurance of deposits in certain savings banks, see 1934, 43; amended, 1936, 149 §§ 2-4; 1938, 125 §§ 1, 2; 1939, 149 §§ 2, 3; 1941, 78 § 2.

For temporary act, providing for the establishment of a fund for the insurance of shares in co-operative banks, see 1934, 73; amended, 1935, 76, 80; 1936, 155; 1938, 244 §§ 2-5; 1939, 227 §§ 2-5.

For temporary act providing for the liquidation of certain trust companies, see 1939, 515; 1941, 143; 1943, 122.

For temporary act to enable certain banking institutions to co-operate in the distribution of United States defense savings bonds and defense postal savings stamps, see 1941, 221, 575.

For temporary legislation authorizing banking institutions to make loans to veterans of World War II guaranteed or insured by the administrator of veterans' affairs, see 1945, 46; 1946, 126; 1947, 110.

For temporary legislation suspending the law authorizing banks to verify deposit or pass books of depositors or shareholders, see 1943, 30; 1948, 19; repealed, 1949, 357 § 4.

SECT. 1 amended, 1935, 452 § 1.

SECT. 2 revised, 1934, 251; first paragraph amended, 1935, 452 § 2; revised, 1948, 527 § 1; amended, 1956, 171; last sentence revised, 1951, 566; paragraph stricken out and two paragraphs inserted, 1958, 654 § 1; third paragraph revised, 1950, 428. (See 1948, 527 § 5; 1958, 654 § 4.)

SECT. 2A added, 1933, 310 (improving the method of examination of banks); first sentence revised, 1958, 47.

SECT. 4 amended, 1934, 270 § 1.

SECT. 5 revised, 1933, 337; second paragraph amended, 1954, 681 § 16. (See 1954, 681 §§ 20, 22.)

SECT. 6 revised, 1945, 164.

SECT. 8 revised, 1959, 341.

SECT. 9 revised, 1939, 499 § 8; 1945, 292 § 11; 1949, 592 § 1.

SECT. 11 revised, 1934, 270 § 2; amended, 1950, 480 § 1; 1955, 432 § 6. (See 1955, 432 § 4.)

SECT. 11A added, 1938, 266 § 1 (placing all corporations conducted on the Morris plan under the supervision of the commissioner of banks and further regulating the business of banking companies).

SECTS. 11B and 11C added, 1950, 368 (providing that certain violations of laws relating to banks shall be reported to the commissioner of banks and to the district attorney).

SECT. 12 revised, 1935, 452 § 3; two sentences added at end, 1951, 765; section revised, 1954, 250.

SECT. 13 paragraph added at end, 1948, 527 § 2. (See 1948, 527 § 5.)

SECT. 14 revised, 1933, 334 § 1; 1949, 289 § 1.

SECT. 16 revised, 1949, 370.

SECT. 17 repealed, 1933, 334 § 2.

SECT. 18 amended, 1943, 110 § 1; 1955, 432 § 7. (See 1955, 432 § 4.)

SECT. 20 amended, 1933, 190; 1943, 22; paragraph added at end, 1958, 109.

SECT. 20A added, 1933, 292 (permitting certain public officers to participate in certain bank reorganizations).

SECTS. 22-36. See 1934, 43 § 11.

SECT. 22, second paragraph amended, 1943, 121. (See 1933, 59 § 5, 112 § 9.)

SECT. 23. See 1933, 112 § 6.

SECT. 24 amended, 1932, 294; 1933, 41 § 4; 1955, 432 § 8. (See 1955, 432 § 4.)

SECT. 31A added, 1933, 277 (authorizing payment of dividends on small deposits in closed banks to certain minors and to the next of kin of certain deceased persons without probate proceedings); revised, 1937, 170.

SECT. 35. See 1936, 428.

SECT. 35A added, 1933, 302 (authorizing the destruction of certain books, records and papers relating to closed banks).

SECT. 35B added, 1934, 241 (providing for semi-annual reports by the commissioner of banks as to progress of liquidation of certain banks).

SECT. 36 amended, 1939, 451 § 58.

SECT. 37, third sentence amended, 1949, 592 § 2.

SECT. 37A added, 1949, 640 (relative to the establishing of branches of financial institutions).

SECT. 46 amended, 1943, 110 § 2.

SECT. 47 amended, 1943, 110 § 3.

SECT. 48 added, 1939, 244 § 6 (relative to payments of moneys on deposit in the name of a minor).

SECT. 49 added, 1941, 444 (relative to adverse claims to certain bank deposits and to certain securities held by banks for the account of others).

SECT. 50 added, 1945, 37 § 1 (making permanent the law authorizing certain banking institutions to take certain first mortgages on real estate). (See 1945, 37 § 2.) For prior temporary legislation see 1936, 191, 405 § 2; 1939, 98; 1941, 40.

SECT. 51 added, 1945, 66 § 1 (making permanent the law relative to the making by certain banking institutions of loans insured by the federal housing administrator); amended, 1948, 101; last sentence revised, 1947, 89; amended, 1950, 480 § 3; section revised, 1950, 598; last sentence revised, 1955, 432 § 9. (See 1943, 339; 1945, 66 § 2; 1950, 480 § 4; 1955, 432 § 4.) For prior temporary legislation see 1935, 162; 1937, 240; 1939, 241; 1941, 260; 1943, 126.

SECT. 51A added, 1956, 204 (authorizing certain banking institutions to sell or assign mortgages to the Federal National Mortgage Association and to purchase stock therein).

SECT. 22 added, 1946, 284 (permitting banks to close on Saturdays during June, July, August and September); amended, 1947, 9.

SECT. 53 added, 1947, 169 (relative to the liability of banks to their depositors for non-payment of checks); repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

SECT. 53A added, 1958, 213 § 1 (declaring void exculpatory provisions contained in a pass book issued by a bank). (See 1958, 213 § 2.)

SECT. 54 added, 1949, 428 (relative to the registration of trust securities in the names of nominees by banks doing a trust business); amended, 1951, 76.

SECT. 55 added, 1950, 287 § 1 (relative to presentment of certain demand instruments payable by, at or through banks); repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

SECT. 56 added, 1957, 400 § 1 (relative to the insurance of loans in banks).

Chapter 167A. — Bank Holding Companies.

New chapter inserted, 1957, 751 § 1. (See 1957, 751 §§ 2–5.)

Chapter 168. — Savings Banks.

For temporary act, establishing the Mutual Savings Central Fund, Inc., for the term of five years, see 1932, 44; term extended to ten years, 1936, 149 § 1; term extended to twenty-five years, 1939, 149 § 1; act amended, 1941, 78 § 1.

For temporary act, providing for the establishment of a fund for the insurance of deposits in certain savings banks, see 1934, 43; amended, 1936, 149 §§ 2–4; 1938, 125 §§ 1, 2; 1939, 149 §§ 2, 3; 1941, 78 § 2; 1952, 31, 534; 1955, 432 §§ 18–22.

For temporary act modifying the requirements for making certain railroad bonds legal investments for savings banks, institutions for savings and trust companies in their savings departments, see 1939, 87; 1941, 115; temporary act repealed, 1941, 413 § 11.

For temporary act to enable certain banking institutions to co-operate in the distribution of United States Defense Savings Bonds and Defense Postal Savings Stamps, see 1941, 221, 575.

For an act creating the Savings Bank Investment Fund as an additional means of investment for savings banks, see 1945, 283 §§ 1–11; 1955, 432 § 23, see 1955, 432 §§ 2–4, 624; 1957, 663.

Chapter stricken out and new chapter 168 inserted, 1955, 432 § 1. (See 1955, 432 §§ 2–4.)

For prior changes see Table of Changes contained in Acts and Resolves of 1954.

The following references are to chapter 168, as so inserted:

SECT. 11, fourth sentence revised, 1959, 61.

SECT. 15, first paragraph revised, 1958, 83.

SECT. 21, paragraph 1 revised, 1959, 177 § 1; paragraph 2 amended, 1956, 175.

SECT. 22, first paragraph revised, 1959, 177 § 2.

SECT. 23 revised, 1956, 244 § 1.

SECT. 34, paragraph 3, first sentence revised, 1958, 131.

SECT. 35, paragraph 4 amended, 1956, 194 § 1; paragraph 5 amended, 1956, 194 § 2.

SECT. 37, first sentence revised, 1956, 689 § 7. (See 1956, 689 § 9.)

SECT. 40, second sentence revised, 1956, 88.

SECT. 48, paragraph 1 revised, 1958, 100 § 1; paragraphs 3–5 revised, 1958, 100 § 2.

SECT. 60, paragraph 2 revised, 1959, 89.

SECT. 67A added, under caption, 1956, 324 § 1 (relative to membership in the Federal Deposit Insurance Corporation). (See 1956, 324 §§ 2–12.)

SECT. 68, paragraph 4 revised, 1958, 66.

SECT. 71, sub-paragraph 1 revised, 1957, 1 § 2. (See 1957, 1 § 7.)

SECT. 72, second sentence revised, 1957, 1 § 3; last paragraph revised. 1958, 106.

SECT. 73, first sentence revised, 1957, 1 § 4.

SECT. 73A added, 1959, 202 § 1 (relative to the conversion of savings banks or savings and loan associations).

SECT. 74 revised, 1959, 197 § 1.

SECT. 80 amended, 1957, 698 § 8.

Chapter 169. — Deposits with Others than Banks.

SECT. 1 amended, 1949, 64 § 1; 1950, 95.

SECT. 3, last sentence revised, 1949, 64 § 2.

SECT. 6 amended, 1949, 64 § 3; 592 § 3.

SECT. 7 amended, 1949, 64 § 4.

SECT. 8 revised, 1949, 64 § 5.

Chapter 170. — Co-operative Banks.

For temporary act, establishing the Co-operative Central Bank for the term of five years, see 1932, 45; term extended to ten years, 1935, 82; amount which a member bank may borrow without collateral further regulated, 1935, 136; 1941, 86; term further extended to twenty-five years, 1938, 244 § 1; refunds to member banks regulated, 1939, 227 § 1; act further amended, 1943, 219.

For temporary act, providing for the establishment of a fund for the insurance of shares in co-operative banks, see 1934, 73; amended, 1935, 76, 80; 1936, 155; 1938, 244 §§ 2-5; 1939, 227 §§ 2-5; 1945, 116.

For temporary act to enable certain banking institutions to co-operate in the distribution of United States Defense Savings Bonds and Defense Postal Savings Stamps, see 1941, 221, 575.

For temporary act to enable certain co-operative banks to invest funds in certain securities, see 1948, 50.

Chapter stricken out, and new chapter 170 inserted, 1933, 144.

Chapter stricken out, and new chapter 170 inserted, 1950, 371 § 1. (See 1950, 371 §§ 2-4; 1952, 148.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to chapter 170, as so inserted:

SECT. 1, definition of "Share capital" or "share liability" revised, 1952, 168 § 1; definition of "Shareholder" or "member" revised, 1952, 168 § 1A; "Net profits" defined, 1953, 87 § 1.

SECT. 5 amended, 1957, 698 § 9.

SECT. 7, first paragraph revised, 1952, 168 § 2.

SECT. 8A added, 1957, 102 (prohibiting directors and officers of co-operative banks from serving as officers in certain other banks and savings and loan associations).

SECT. 12, second sentence revised, 1957, 1 § 5.

SECT. 12A added, 1956, 244 § 2 (relative to the collection and receipt of deposits by payroll deduction by savings and co-operative banks).

SECT. 12B added, 1958, 264 (relative to the collection by co-operative banks of utility company bills).

SECT. 13, first sentence revised, 1952, 168 § 3; subsection 1, paragraph (d) amended, 1952, 257 § 1; subsection 2 amended, 1957, 204; subsection

3, paragraph (c) revised, 1959, 195. (See 1952, 257 § 3.) See 1950, 480 § 2.

SECT. 16, first two paragraphs revised, 1954, 108; 1959, 181.

SECT. 17 revised, 1952, 257 § 2. (See 1952, 257 § 3.)

SECT. 23, subsection 5 added at end, 1957, 198 § 1.

SECT. 24, subsection 1 stricken out, 1959, 179; subsection 2 amended, 1955, 118 § 1; subsection 3 amended, 1955, 118 § 2; revised, 1959, 108 § 1; subsection 3A inserted, 1959, 174; subsection 4 revised, 1955, 146; 1958, 96; 1959, 108 § 2; subsection 5 amended, 1956, 34; subsection 8, sentence inserted after first sentence, 1952, 137; stricken out, 1957, 198 § 2.

SECT. 24A added, 1959, 342 (authorizing co-operative banks to make or acquire loans guaranteed by the Federal Housing Administrator).

SECT. 26, subsections 1 and 2 revised, 1955, 432 § 10. (See 1955, 432 § 4.)

SECT. 30, first paragraph amended, 1957, 197 § 1; second paragraph amended, 1957, 197 § 2.

SECT. 31, first paragraph amended, 1956, 38.

SECT. 34A added, under caption, 1956, 323 § 1 (relative to membership in the Federal Savings and Loan Insurance Corporation). (See 1956, 323 §§ 2-11.)

SECT. 35 revised, 1957, 348.

SECT. 37 revised, 1953, 87 § 2.

SECT. 38, second paragraph amended, 1955, 257 § 2. (See 1952, 149; 1953, 72; 1954, 463 § 1; 1955, 257 § 1.)

SECT. 40, first sentence stricken out and two sentences inserted, 1957, 98.

SECT. 41, second paragraph amended, 1956, 10; stricken out, 1958, 654 § 2. (See 1954, 658 § 4.)

SECT. 48, last paragraph revised, 1958, 105.

SECT. 49, first and second paragraphs revised, 1956, 246.

SECT. 51, third paragraph amended, 1954, 109 § 1; last paragraph amended, 1954, 109 § 2; section revised, 1959, 196 § 1.

Chapter 171. — Credit Unions.

For temporary act, establishing the Central Credit Union Fund, Inc., for the term of five years, see 1932, 216; amended, 1934, 221; 1939, 112 § 2. Term extended to ten years, 1936, 70. Term extended to twenty years, 1941, 177.

For temporary act to enable certain banking institutions to co-operate in the distribution of United States Defense Savings Bonds and Defense Postal Savings Stamps, see 1941, 221, 575.

SECT. 3, second paragraph revised, 1936, 323; 1948, 527 § 4; 1957, 328; stricken out, 1958, 654 § 3; section amended, 1957, 698 § 10. (See 1948, 527 § 5; 1958, 654 § 4.)

SECT. 5 amended, 1939, 112 § 1.

SECT. 6, paragraph added at end, 1952, 162.

SECT. 6A added, 1946, 184 (to authorize deductions from wages of employees of districts and municipalities for making certain payments to credit unions of such employees); repealed, 1947, 189 § 2. (See G. L. chapter 149 § 178B, inserted by 1947, 189 § 1.)

SECT. 8 revised, 1946, 49 § 1.

SECT. 9 revised, 1946, 49 § 2.

SECT. 10, two sentences inserted after fifth sentence, 1945, 81; section revised, 1947, 87; fourth sentence revised, 1949, 287; 1957, 182.

SECT. 11A added, 1958, 45 (authorizing certain officers of credit unions to pay certain deposits or shares to the surviving spouse or next of kin upon the death of a depositor or shareholder).

SECT. 15, first sentence revised, 1952, 94; last sentence stricken out, 1933, 163 § 1; sentence added at end of first paragraph, 1958, 63; paragraph added at end, 1933, 163 § 1; second paragraph amended, 1955, 432 § 11; new paragraph added, 1935, 272; paragraph added by 1935, 272 revised, 1936, 329. (See 1955, 432 § 4.)

SECT. 16, second sentence amended, 1949, 286 § 1; two sentences added at end, 1956, 126.

SECT. 17, second sentence revised, 1956, 33; sentence added at end, 1952, 95. See 1943, 30.

SECT. 18 revised, 1955, 147.

SECT. 19A added, 1938, 239 (relative to the liability of certain endorsers upon notes held by credit unions and authorizing the establishment of contingent funds by credit unions); revised, 1941, 79.

SECT. 20A added, 1936, 119 (relative to the impairment of the capital of credit unions).

SECT. 21 amended, 1933, 163 § 2; 1937, 228; revised, 1943, 118; sentence added at end, 1946, 76; section revised, 1949, 341; first sentence revised, 1951, 246; amended, 1951, 654; section revised, 1953, 121, 210; amended, 1954, 179 § 1; revised, 1957, 151 § 1. (See 1957, 151 § 2.)

SECT. 22, paragraph added at end, 1952, 88.

SECT. 24, paragraph added at end of subdivision (A), 1933, 163 § 3; first four paragraphs and subdivision (A) revised, 1941, 102; paragraph 4 of subdivision (A) revised, 1947, 85; paragraph 5 of subdivision (A) amended, 1946, 47; paragraph 7 of subdivision (A) added, 1948, 65; subdivision (A) revised, 1950, 84; 1951, 117; amended, 1959, 158 § 1; 1958, 133; 1959, 158 § 2; paragraph 1 of subdivision (A) revised, 1954, 122 § 1; paragraph 2 of subdivision (A) revised, 1954, 122 § 2; paragraph 5 of subdivision (A) amended, 1952, 91; 1953, 159 § 1; paragraph 6 of subdivision (A) amended, 1953, 159 § 2; revised, 1954, 122 § 3; amended, 1956, 91; subdivision (B) revised, 1945, 82; 1947, 178; first paragraph of subdivision (B) amended, 1952, 163; 1955, 122; 1959, 92; paragraph 3 of subdivision (B) revised, 1952, 105 § 1; sentence added at end, 1959, 102; paragraph 3A of subdivision (B) added, 1953, 159 § 3; paragraph 4 of subdivision (B) stricken out, 1952, 105 § 2.

SECT. 25, first paragraph revised, 1949, 286 § 2.

SECT. 27, first sentence amended, 1949, 592 § 5.

SECT. 29, first paragraph revised, 1936, 139; second paragraph amended, 1950, 162 § 7; 1954, 179 § 2.

SECT. 30 added, 1946, 90 (relative to the consolidation of credit unions and the conversion of foreign credit unions).

SECTS. 31-33 added, 1948, 509 § 1 (providing for the establishment of a contributory credit union employees retirement association). (See 1948, 509 § 2.)

SECT. 31, fifth paragraph revised, 1954, 121 § 1; paragraph added at end, 1954, 121 § 2.

Chapter 172. — Trust Companies.

For temporary act providing for the liquidation of certain trust companies, see 1939, 515; 1941, 143; 1943, 122.

SECT. 1 revised, 1934, 349 § 1.

SECT. 7, clause Fourth revised, 1934, 349 § 2.

SECT. 9, fifth sentence amended, 1934, 349 § 3.

SECT. 10, first paragraph amended, 1934, 349 § 4; section amended, 1957, 698 § 11.

SECT. 11 revised, 1934, 349 § 5.

SECT. 12 revised, 1934, 349 § 6.

SECT. 13 revised, 1934, 349 § 7; first sentence amended, 1950, 93 § 1.

SECT. 14 revised, 1934, 349 § 8; 1935, 40; amended, 1936, 143 § 1.

SECT. 14A added, 1934, 349 § 9 (relative to the submission of a monthly report by the treasurer of a trust company to its board of directors); subparagraph 3 stricken out and subparagraphs 3 and 3A inserted, 1939, 244 § 1; subparagraph 3, clause (b) revised, 1950, 93 § 2; subparagraph 4 amended, 1950, 93 § 3; last paragraph revised, 1950, 93 § 4.

SECT. 15 revised, 1934, 349 § 10.

SECT. 16, paragraph added at end, 1934, 349 § 11.

SECT. 18 revised, 1934, 349 § 12; amended, 1935, 18; second paragraph revised, 1943, 110 § 8.

SECT. 19 amended, 1934, 349 § 13.

SECT. 19A added, 1943, 237 (providing for notice to the commissioner of banks of certain transfers of stock of trust companies).

SECT. 24 revised, 1934, 349 § 14; two paragraphs added at end, 1937, 248.

SECT. 25 amended, 1934, 349 § 15.

SECT. 26 amended, 1934, 349 § 16; revised, 1943, 21 § 2.

SECT. 27, three sentences added at end, 1946, 66.

SECT. 30A, sentence added at end, 1934, 349 § 17; same sentence amended, 1947, 28.

SECT. 31 revised, 1934, 349 § 18; last sentence amended, 1939, 124; 1949, 289 § 2; revised, 1955, 432 § 12. (See 1955, 432 § 4.)

SECT. 33 revised, 1941, 484 § 1; first sentence amended, 1956, 242 § 1; section revised, 1959, 87 § 1. (See 1941, 484 §§ 4, 5.)

SECT. 34 revised, 1934, 349 § 19; 1939, 244 § 2; amended, 1951, 23 § 1; two paragraphs added at end, 1955, 197; section revised, 1956, 242 § 2; second paragraph revised, 1957, 217.

SECT. 34A added, 1952, 150 (further limiting the investments by a trust company in certain loans issued by the federal housing commissioner); repealed, 1956, 242 § 3.

SECT. 40 revised, 1941, 484 § 2; amended, 1945, 88; temporarily affected, 1951, 729. (See 1941, 484 §§ 4, 5.)

SECT. 40A added, 1943, 261 (clarifying the limits on the total liabilities of any one borrower to a trust company in its commercial and savings departments); temporarily affected, 1951, 729; revised, 1955, 432 § 13. (See 1955, 432 § 4.)

SECT. 41, sentence added at end, 1947, 36; same sentence revised, 1952, 93; section revised, 1956, 197.

SECT. 43 revised, 1934, 349 § 20; 1941, 484 § 3; paragraph added at end, 1959, 87 § 2. (See 1941, 484 §§ 4, 5.)

SECT. 44 revised, 1939, 187; amended, 1946, 87 § 1; revised, 1955, 275 § 1.

SECT. 44A added, 1933, 41 § 2 (authorizing trust companies to purchase, loan upon or participate in loans upon the assets of certain closed and other banks).

SECT. 45 revised, 1934, 349 § 21; amended, 1939, 244 § 3; revised, 1946, 87 § 2. (See 1943, 192; 1946, 87 § 4.)

SECT. 46 revised, 1934, 349 § 22; amended, 1939, 244 § 4; 1946, 87 § 3. (See 1943, 192; 1946, 87 § 4.)

SECT. 48 revised, 1934, 349 § 23; paragraph (c) added at end, 1937, 276.

SECT. 54 amended, 1934, 349 § 24; 1935, 172 § 1.

SECT. 54A added, 1935, 172 § 2 (authorizing trust companies under certain conditions to deposit in their commercial departments certain funds held in their trust departments).

SECT. 57 revised, 1934, 349 § 25.

SECT. 60 amended, 1934, 349 § 26; last sentence revised, 1951, 23 § 2; last sentence stricken out, 1959, 176 § 1.

SECT. 60A added, 1959, 176 § 2 (relative to deposits in savings departments of trust companies).

SECT. 61 amended, 1933, 41 § 3; first sentence revised, 1955, 432 § 14; 1956, 94. (See 1955, 432 § 4.)

SECT. 62 amended, 1934, 349 § 27; revised, 1941, 104.

SECT. 66 revised, 1932, 245 § 2.

SECT. 66A revised, 1943, 27 § 2.

SECT. 66B added, 1949, 289 § 3 (establishing the time within which an order may be paid notwithstanding the death of the drawer).

SECT. 67, paragraph added at end, 1933, 334 § 29 (regulating the declaration and payment of interest on deposits in savings departments of trust companies).

SECT. 68 amended, 1955, 432 § 15. (See 1955, 432 § 4.)

SECT. 69 amended, 1943, 110 § 7.

SECT. 70 revised, 1949, 357 § 3. (See 1943, 30; 1948, 19; 1949, 357 § 4.)

SECT. 74 amended, 1934, 349 § 28; revised, 1958, 135.

SECT. 75 revised, 1934, 349 § 29; last sentence revised, 1943, 193; 1945, 53 § 1.

SECT. 76 amended, 1934, 349 § 30.

SECT. 80 revised, 1934, 349 § 31 (but see 1934, 349 § 32); next to last sentence revised, 1945, 53 § 2.

SECT. 82 added, under caption "SET-OFF OR RECOUPMENT OF DEPOSITS", 1932, 295 § 1. (See 1932, 295 § 2.)

SECTS. 83-89 added, under caption "CONSERVATORSHIP", 1933, 87 § 1.

SECTS. 83, 88. See 1933, 112 §§ 6, 9.

SECT. 90 added, 1933, 273 (relative to the enforcement of conservatorship proceedings in respect to trust companies).

Chapter 172A. — Banking Companies.

New chapter inserted, 1935, 452 § 4.

For temporary act to enable certain banking institutions to co-operate in the distribution of United States Defense Savings Bonds and Defense Postal Savings Stamps, see 1941, 221, 575.

SECT. 1 revised, 1938, 266 § 2; amended, 1941, 391 § 1. (See 1941, 391 §§ 2, 3.)

SECT. 1A added, 1938, 266 § 3 (authorizing certain existing corporations to vote to carry on the business of a banking company on certain conditions).

SECT. 2 amended, 1938, 266 § 4.

SECT. 3 revised, 1938, 266 § 5; fifth sentence amended, 1952, 97; sentence added at end, 1948, 285.

SECT. 4 amended, 1938, 266 § 6; 1949, 268 § 1.

SECT. 5, first paragraph revised, 1938, 266 § 7; section revised, 1948, 148 § 1; fourth sentence amended, 1953, 122; last paragraph revised, 1950, 92 § 1.

SECT. 5A added, 1948, 148 § 2 (relative to the limitations on the amount of deposits on certificate funds in banking companies).

SECT. 6 revised, 1938, 266 § 9.

SECT. 6A added, 1946, 115 § 1 (authorizing certain banking companies to receive deposits subject to withdrawal by check); amended, 1948, 150; second sentence amended, 1953, 123; 1955, 163; last sentence revised, 1950, 92 § 2.

SECT. 7, preliminary sentence revised, 1946, 115 § 2; clause First, last sentence stricken out, 1945, 192 § 1; clause Second revised, 1943, 208; 1948, 35; amended, 1952, 96; revised, 1955, 432 § 16 (see 1955, 432 § 4); clause Fourth added, 1945, 192 § 2; revised, 1948, 100.

SECT. 7A added, 1938, 266 § 8 (relative to the carrying and disposition by certain existing corporations of certain assets not authorized as investments after they become subject to this chapter).

SECT. 7B added, 1948, 36 (prohibiting the making of loans by banking companies on the security of their own shares and regulating the acquisition or holding by them of such shares).

SECT. 8 amended, 1947, 39.

SECT. 8A added, 1948, 34 (prohibiting the making of loans or extensions of credit by banking companies to their own executive officers).

SECT. 10, first sentence amended, 1946, 115 § 3; two sentences added at end, 1949, 268 § 2.

SECT. 12, sentence added at end, 1948, 37; revised, 1957, 1 § 6.

SECT. 12A added, 1948, 281 (relative to the merger, consolidation or purchase and sale of assets of banking companies); revised, 1955, 275 § 2.

SECT. 15 added, 1941, 438 (authorizing banking companies to sell certain negotiable checks).

Chapter 173. — Mortgage Loan Investment Companies.

SECT. 15 amended, 1949, 592 § 6.

SECT. 16 revised, 1949, 592 § 7.

Chapter 174. — Bond and Investment Companies.

Chapter stricken out, 1950, 822 § 1.

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

Chapter 174A. — Regulation of Rates for Fire, Marine and Inland Marine Insurance, and Rating Organizations.

New chapter inserted, 1947, 614 § 1. (See 1947, 614 § 3.)

SECT. 4, first paragraph revised, 1955, 384 § 1.

SECT. 6, subsection (f) added, 1955, 384 § 2.

SECT. 18, paragraph (c) amended, 1954, 681 § 17. (See 1954, 681 §§ 20, 22.)

Chapter 175. — Insurance.

For legislation authorizing domestic insurance companies to invest in real estate mortgages insured under the National Housing Act, see 1939, 359. (See also 1943, 339.) [For other legislation, see 1935, 162; 1937, 240; 1939, 241; 1941, 260; 1943, 126; 1946, 125.]

For temporary act, modifying the requirements for investments in real estate mortgages, see 1936, 191; amended, 1936, 405 § 2; extended, 1939, 98; 1941, 40.

For temporary legislation authorizing insurance companies to make loans to veterans of World War II guaranteed or insured by the administrator of veterans' affairs, see 1945, 46; 1946, 126; 1947, 110.

For temporary legislation confirming the power and authority of domestic insurance companies, their officers, directors, employees and agents, to pay certain taxes and fees, and relating to liability therefor, see 1945, 57; 1947, 80.

SECT. 1, definition of "Company" revised, 1947, 488 § 10; paragraph added (after definition of "Foreign company") defining "Industrial life insurance policy" or "policy of industrial life insurance", 1943, 227 § 11; paragraph added after word "law" in the fifty-second line, 1938, 306 (defining "resident" with respect to the incorporators, officers and directors of insurance companies). (See 1943, 227 §§ 13, 14.)

SECT. 3B added, 1956, 325 (relative to the powers and duties of the commissioner of insurance).

SECT. 4, first paragraph revised, 1938, 357 § 1; fourth paragraph amended, 1939, 472 § 4; revised, 1941, 324.

SECT. 5 amended, 1933, 107 § 2.

SECT. 6, first paragraph amended, 1933, 107 § 3; section amended, 1939, 472 § 1; first paragraph amended, 1939, 488 § 2; last sentence of same paragraph revised, 1949, 242 § 1. (See 1939, 488 § 9.)

SECT. 9, clause Second revised, 1941, 326 § 1; clause Fourth revised, 1941, 326 § 2; section revised, 1943, 227 § 1. (See 1943, 227 §§ 13, 14.)

SECT. 10 revised, 1947, 217.

SECT. 11, first paragraph amended, 1934, 92 § 1; revised, 1943, 207 § 3; 1945, 605 § 2; 1947, 539; 1959, 447; third paragraph amended, 1933, 5. (See 1943, 207 § 4; 1945, 605 § 3.)

SECT. 12 amended, 1943, 183 § 1. (See 1943, 183 § 2.)

SECT. 12A added, 1943, 183 § 2 (relating to the computation of reserves required of certain domestic liability insurance companies with respect to certain policies of liability insurance).

SECT. 14 amended, 1939, 395 § 2; revised, 1941, 635 § 3, 693; paragraph inserted after paragraph contained in line 14, 1943, 54 § 1; revised, 1945, 593 § 1; 1956, 522; paragraph contained in lines 22-26 revised, 1943, 288; seventeenth paragraph revised, 1943, 54 § 2, 227 § 2. (See 1945, 593 § 2.)

SECT. 14A added, 1949, 735 § 2 (relative to contributions to the expenses of the Committee on Valuation of Securities of the National Association of Insurance Commissioners, and the assessment upon domestic life insurance companies therefor).

SECT. 16, second paragraph amended, 1939, 395 § 3.

SECT. 17, second paragraph revised, 1956, 285.

SECT. 18, first paragraph amended, 1957, 453 § 1.

SECT. 19A amended, 1934, 137 § 2; revised, 1941, 364 § 1.

SECT. 19B added, 1939, 375 (authorizing domestic insurance companies to merge or consolidate with foreign insurance companies in certain cases); revised, 1941, 364 § 2.

SECT. 19C added, 1941, 364 § 3 (relative to rights of stockholders of merging or consolidating corporations).

SECT. 20, first sentence of second paragraph amended, 1946, 508; second sentence of second paragraph revised, 1948, 571; new paragraph inserted after fifth paragraph, 1941, 343.

SECT. 22A revised, 1935, 234; first paragraph amended, 1946, 158; last paragraph amended, 1938, 181; section revised, 1951, 327.

SECT. 24, sentence added at end of first paragraph, 1946, 244; second paragraph stricken out, 1955, 384 § 3.

SECT. 25, first paragraph revised, 1950, 396 § 1; second paragraph revised, 1945, 159; amended, 1950, 396 § 2; third paragraph amended, 1950, 225; last paragraph of Form A stricken out, 1934, 12; Forms B and C revised, 1947, 488 § 2; first paragraph following line 42, as appearing in Tercenary Edition, revised, 1958, 177; last paragraph of section amended, 1934, 92 § 2.

SECT. 29 revised, 1939, 167; 1955, 636.

SECT. 32 revised, 1938, 357 § 2; amended, 1941, 342 § 1.

SECT. 33 revised, 1946, 186.

SECT. 35 revised, 1950, 63.

SECT. 36, second paragraph revised, 1935, 140; 1936, 61; first two paragraphs revised, 1951, 125; two paragraphs added at end, 1938, 218 § 1; third paragraph revised, 1954, 75.

SECT. 36A added, 1948, 496 (relative to payment of retirement or insurance benefits to agents and agency employees of certain domestic insurance corporations); first sentence revised, 1959, 261.

SECT. 36B added, 1954, 247 (to permit accident and health insurance companies to cover their employees for accident and health insurance).

SECT. 47, clause First revised, 1938, 176; clause Fourth revised, 1938, 307; clause Fifth revised, 1954, 266; clause Sixth amended, 1941, 243; 1945, 436; 1951, 73; clause Seventh amended, 1937, 261; clause Twelfth revised, 1935, 204; clause Seventeenth added, 1946, 471 § 1.

SECT. 48, first paragraph revised, 1946, 471 § 2; lines 22 and 23 stricken out and new paragraph inserted, 1946, 471 § 3.

SECT. 48A revised, 1946, 471 § 4.

SECT. 49, first paragraph revised, 1954, 320 § 1; paragraph inserted after second paragraph, 1939, 15 § 2; same paragraph stricken out, 1954, 320 § 2; paragraph contained in the twenty-second to the twenty-eighth lines revised, 1941, 342 § 2; last paragraph stricken out, 1941, 342 § 3.

SECT. 50, first sentence revised, 1945, 609 § 1; 1954, 320 § 3; third sentence amended, 1932, 180 § 33; 1957, 698 § 12.

SECT. 51, clause (a) revised, 1946, 471 § 5.

SECT. 54, clause ($a\frac{1}{2}$) added, 1946, 471 § 6; clause (*e*) revised, 1939, 488 § 3. (See 1939, 488 § 9.)

SECT. 54A added, 1932, 165 (permitting certain insurance companies to make outside the commonwealth contracts insuring personal property against all risks or hazards); amended, 1938, 198.

SECTS. 54B-54D added, 1945, 384 § 2 (authorizing multiple line underwriting, so-called, by certain domestic and foreign stock and mutual insurance companies). (See 1945, 384 § 3.)

SECT. 54B revised, 1946, 285; 1950, 475 § 1.

SECT. 54E added, 1951, 510 (to afford more complete insurance coverage for dwelling houses); revised, 1955, 339.

SECT. 54F added, 1957, 170 (extending the authorization of insurance companies to include other coverage of commercial property in a fire insurance policy).

SECT. 59, sentence added at end, 1948, 286.

SECT. 63, paragraph 1 revised, 1959, 128; paragraph 2, clause (*d*) added, 1947, 266 § 1; paragraph 3 amended, 1947, 266 § 2; paragraph 3A added, 1948, 70; paragraph 4 revised, 1947, 266 § 3; paragraph 5A added, 1947, 266 § 4; paragraph 6 revised, 1947, 266 § 5; paragraph 7 revised, 1945, 188; first sentence amended, 1951, 129; fifth sentence revised, 1954, 65; sentence added at end, 1946, 438 § 2; paragraph 7 revised, 1957, 183; paragraph 7A added, 1950, 207; revised, 1956, 137; paragraph 9 revised, 1947, 266 § 6; paragraph 11 revised, 1947, 266 § 7; paragraph 14A added, 1947, 266 § 8; revised, 1954, 111 § 1; paragraph 14B added, 1951, 154; paragraph 14C added, 1956, 373; paragraphs 14D and 14E added, 1958, 296.

SECT. 64, first paragraph revised, 1953, 110; second paragraph amended, 1936, 213; third paragraph revised, 1943, 207 § 2; 1947, 269 § 2; 1952, 395; paragraph added at end, 1941, 548. (See 1943, 207 § 4; 1945, 605 § 3.)

SECT. 65 amended, 1946, 125; 1947, 41; revised, 1954, 176; 1955, 208.

SECT. 66 amended, 1947, 650; second paragraph stricken out and two paragraphs inserted, 1954, 111 § 2.

SECT. 66A added, 1943, 207 § 1 (relative to the construction, operation and maintenance of low rental housing projects by domestic life insurance companies); revised, 1945, 605 § 1; 1947, 504. (See 1943, 207 § 4; 1945, 605 § 3.)

SECT. 66B added, 1947, 269 § 1 (authorizing domestic life insurance companies to invest in certain land and buildings); fourth sentence amended, 1953, 94; fifth sentence stricken out and two sentences inserted, 1954, 68; sixth sentence revised, 1957, 152.

SECT. 70, second sentence revised, 1954, 320 § 4; section amended, 1957, 698 § 13; revised, 1958, 155.

SECT. 71, first sentence stricken out and four sentences inserted, 1954, 320 § 5.

SECT. 72 amended, 1936, 212.

SECT. 73, first paragraph revised, 1939, 300 § 1.

SECT. 77 amended, 1941, 365 § 1. (See 1941, 365 § 2.)

SECT. 79 revised, 1933, 23 § 1; 1953, 220 § 1.

SECT. 80, first sentence revised, 1947, 196; paragraph inserted after the word "classified" in the twenty-third line, 1936, 315; section revised, 1947, 317; first sentence amended, 1951, 297; first paragraph revised,

1955, 384 § 4; paragraph inserted after first paragraph, 1956, 315; revised, 1957, 453 § 2.

SECT. 81, first sentence amended, 1952, 34.

SECT. 83, paragraph added at end, 1941, 716 § 5. (See 1941, 723.)

SECT. 85A added, 1941, 716 § 1 (providing that the commissioner of insurance may authorize certain domestic mutual insurance companies to issue non-assessable policies); sentence added at end, 1943, 247 § 1; sentence added at end, 1947, 197 § 1. (See 1941, 723; 1943, 247 § 4.)

SECT. 87 repealed, 1934, 22.

SECT. 90, first paragraph amended, 1941, 716 § 2; 1945, 403 § 2. (See 1941, 723.)

SECT. 90A amended, 1939, 300 § 2.

SECT. 90B revised, 1933, 23 § 2; 1945, 726.

SECT. 90C, first paragraph revised, 1953, 220 § 2.

SECT. 93, first paragraph revised, 1939, 488 § 1; 1941, 654 § 1. (See 1939, 488 § 9.)

SECT. 93B revised, 1939, 488 § 4. (See 1939, 488 § 9.)

SECT. 93C revised, 1939, 488 § 5. (See 1939, 488 § 9.)

SECT. 93D revised, 1939, 488 § 6. (See 1939, 488 § 9.)

SECT. 93F added, 1941, 716 § 3 (permitting certain domestic mutual insurance companies to issue non-assessable policies); sentence added at end, 1943, 247 § 2; sentence added at end, 1947, 197 § 2. (See 1941, 723; 1943, 247 § 4.)

SECT. 94, first two paragraphs stricken out, and two new paragraphs inserted, 1933, 81; first paragraph amended, 1938, 218 § 2; 1943, 532 § 2; revised, 1945, 313 § 2; third paragraph revised, 1952, 51. (See 1945, 313 § 5.)

SECTS. 94A-94M added, under caption, 1947, 488 § 1 (authorizing and regulating the exchange of reciprocal or inter-insurance contracts in the commonwealth).

SECT. 94B revised, 1955, 384 § 5; 1957, 177.

SECT. 94E, clause (a) revised, 1955, 384 § 6.

SECT. 96A added, 1946, 471 § 7 (providing that insurance against expenses actually incurred in repairing or replacing property damaged or destroyed by fire or other causes shall not be subject to certain limitations as to value).

SECT. 97 amended, 1933, 31; two sentences added at end, 1945, 399 § 1. (See 1945, 399 § 2.)

SECT. 99, clause Ninth revised, 1934, 95; paragraph of the standard form appearing in lines 14-23 revised, 1943, 462; clause Tenth added, 1947, 488 § 3; section revised, 1951, 478 § 1. (See 1951, 478 § 2.)

SECT. 102 amended, 1932, 174 § 1; revised, 1934, 110 § 1. (See 1932, 174 § 2; 1934, 110 § 2.)

SECT. 102C added, 1957, 453 § 3 (relative to the issuance of insurance policies against loss by radioactive contamination).

SECT. 104 repealed, 1947, 614 § 2. (See 1947, 614 § 3.)

SECT. 105 amended, 1955, 432 § 17. (See 1955, 432 § 4.)

SECT. 106 revised, 1932, 150 § 1; amended, 1939, 400 § 1. (See 1932, 150 § 4.)

SECT. 108, paragraph added at end, 1945, 341; paragraphs A-C added at end, 1947, 607; section revised, 1954, 275 § 1; subdivision 3, paragraph (a), provision (2) amended, 1958, 277; provision (3) amended, 1958,

294 § 1; paragraph (b), provision (8) stricken out, 1958, 294 § 2; paragraph (b $\frac{1}{2}$) inserted, 1958, 294 § 3; paragraph C amended, 1954, 681 § 18. (See 1954, 275 §§ 4, 5, 681 §§ 20, 22.)

SECT. 109 repealed, 1954, 275 § 2. (See 1954, 275 §§ 4, 5.)

SECT. 110, sentence added at end, 1939, 133; section amended, 1941, 118; revised, 1943, 424 § 3, 532 § 1; subdivision (1) of second paragraph amended, 1945, 403 § 1; section revised, 1949, 676 § 3; amended, 1950, 392; subdivisions (A) and (B) revised, 1952, 532 § 1; subdivision (A) amended, 1954, 275 § 3, 327; 1953, 229 § 1; subdivision (C) amended, 1952, 532 § 1A; subdivision (D) revised, 1952, 532 § 2; amended, 1955, 207. (See 1954, 275 §§ 4, 5.)

SECT. 110A added, 1938, 401 (relative to exemption of the benefits of disability insurance from attachment and execution).

SECT. 110B added, 1939, 209 (relative to the termination or lapsing of certain accident and health policies for non-payment of premiums); revised, 1955, 263.

SECT. 111A, paragraph inserted after provision (4), 1957, 453 § 4.

SECT. 111C added, 1943, 375 § 1 (providing for the inclusion of accident benefits in certain liability insurance policies); revised, 1948, 287; 1959, 438 § 1.

SECT. 111D added, 1959, 438 § 2 (authorizing the inclusion in motor vehicle liability policies of death and disability benefits and coverage for damages caused by the operation of uninsured motor vehicles).

SECT. 113A, provision (2) amended, 1933, 119 § 1; revised, 1933, 145 § 1; 1949, 570; amended, 1951, 648 § 2; revised, 1956, 191 § 1; provision (2A) added, 1933, 145 § 2; amended, 1935, 296 § 1; provision (6) revised, 1936, 272; 1949, 693 § 1; amended, 1955, 283 § 2. (See 1933, 145 § 3; 1935, 296 § 2; 1949, 693 § 2; 1951, 648 § 3; 1955, 283 § 3.)

SECT. 113B, paragraph inserted after first paragraph, 1935, 459 § 4; third paragraph amended, 1951, 251. (See 1935, 459 § 5.)

SECT. 113D, first paragraph revised, 1933, 119 § 2; fourth paragraph revised, 1933, 146 § 1; sixth paragraph revised, 1933, 146 § 2; amended, 1934, 46; first sentence of sixth paragraph amended, 1938, 311; paragraph added at end, 1933, 119 § 3; paragraph added at end, 1934, 379; revised, 1951, 648 § 1; stricken out, 1956, 191 § 2; paragraph added at end, 1955, 412 § 1. (See 1933, 119 § 6, 146 § 3; 1951, 648 § 3; 1955, 142 § 2.)

SECT. 113E added, 1934, 61 (prohibiting certain discrimination in the issuance or execution of motor vehicle liability policies or bonds); amended, 1941, 401.

SECT. 113F added, 1937, 390 (relative to the renewal of motor vehicle liability policies or bonds, so called, in certain cases); first paragraph amended, 1938, 351.

SECT. 113G added, 1939, 406 § 1 (relative to the relations of officers, directors and employees of certain domestic insurance companies with certain insurance agencies and finance companies). (See 1939, 406 § 2.)

SECT. 113H added, 1953, 570 § 5 (relative to co-operation by insurance companies in the apportionment of certain motor vehicle liability risks).

SECT. 113I added, 1954, 274 (relative to the service charges for securing motor vehicle liability insurance for certain persons).

SECT. 113J added, 1954, 334 (requiring insurers under compulsory motor vehicle insurance law to furnish reports of medical examinations).

SECT. 114 amended, 1932, 180 § 34; 1939, 225.

SECT. 116A amended, 1932, 180 § 35.

SECT. 117, sentence added at end, 1955, 384 § 7.

SECT. 117A, first paragraph amended, 1938, 216 § 1; heading before section 117A stricken out and "MARINE AND AUTOMOBILE AND SPRINKLER LEAKAGE INSURANCE" inserted, 1938, 216 § 2.

SECT. 123 revised, 1943, 186; first paragraph revised, 1958, 114; second paragraph stricken out, 1952, 14.

SECT. 125. See 1933, 42.

SECT. 126 amended, 1943, 227 § 5. (See 1933, 42 §§ 13, 14; 1943, 227.)

SECT. 128 revised, 1953, 97.

SECT. 128A added, 1958, 410 (making a minor who has attained the age of eighteen competent to give a valid discharge for certain payments made to him under certain insurance policies).

SECT. 130 revised, 1954, 66.

SECT. 132, first paragraph revised, 1933, 101 § 1; first paragraph amended, 1943, 227 § 6; provisions numbered 6, 7, 8, 9, revised, 1943, 227 § 7; provision numbered 10 revised, 1951, 131; provision numbered 12 added, 1955, 119; four paragraphs added at end of section, 1943, 227 § 6. (See 1943, 227 §§ 13, 14.)

SECTS. 132A-132E added, 1945, 313 § 1 (relative to group annuity contracts). (See 1945, 313 § 5; 1947, 188 §§ 1, 2.)

SECT. 132A, clause (b) stricken out and clauses (b), (c) and (d) inserted, 1951, 249 § 1; second paragraph revised, 1951, 249 § 2; last paragraph revised, 1951, 249 § 3.

SECT. 133, clause (a) amended, 1946, 346; 1948, 54; revised, 1951, 404 § 1; amended, 1955, 171; clause (b) amended, 1938, 362 § 2; 1943, 424 § 1; revised, 1951, 404 § 2; clause (c) added, 1938, 362 § 1; revised, 1957, 400 § 2; amended, 1958, 188; revised, 1959, 209 § 1; clause (d) added, 1943, 424 § 2; clause (e) added, 1949, 676 § 1; amended, 1951, 195; revised, 1951, 404 § 3; amended, 1953, 229 § 2; clause (f) added, 1956, 533 § 1.

SECT. 134, sentence added at end of provision numbered 4, 1938, 362 § 3; said provision revised, 1939, 170; 1941, 456; last paragraph stricken out and three new paragraphs inserted, 1938, 362 § 4; first of said paragraphs revised, 1949, 676 § 2; amended, 1950, 463 § 1; paragraph inserted after second of said paragraphs, 1950, 463 § 2; section revised, 1951, 404 § 4; provision numbered 1 revised, 1954, 285; provision numbered 4 amended, 1956, 533 § 2; provision numbered 4A inserted, 1955, 169; revised, 1959, 209 § 2; provision numbered 7 amended, 1956, 533 § 3; third paragraph revised, 1956, 533 § 4; last paragraph revised, 1958, 574.

SECT. 134A added, 1949, 676 § 4 (relative to the time of notice required in the conversion of group life insurance policies).

SECT. 138A added, 1943, 424 § 4 (relative to deductions from salaries of state, county and municipal employees for payment of premiums on certain group life insurance policies).

SECT. 139, two sentences added at end, 1945, 335; section revised, 1946, 313.

SECT. 140, second paragraph revised, 1943, 227 § 12; third paragraph amended, 1933, 101 § 2. (See 1943, 227 §§ 13, 14.)

SECT. 142 revised, 1943, 227 § 8; first sentence revised, 1950, 345 § 1. (See 1943, 227 §§ 13, 14; 1950, 345 § 2.)

SECT. 143 revised, 1943, 227 § 9. (See 1943, 227 §§ 13, 14.)

SECT. 144, last paragraph revised, 1933, 101 § 3; first three paragraphs stricken out and four new paragraphs inserted, 1938, 209 § 1; section revised, 1943, 227 § 3; subdivision 11 added, 1945, 313 § 3. (See 1938, 209 § 3; 1943, 227 §§ 13, 14; 1945, 313 §§ 4, 5.)

SECT. 146 revised, 1943, 227 § 4. (See 1943, 227 §§ 13, 14.)

SECT. 146A added, 1945, 298 (providing for giving notice to holders of lapsed industrial life insurance policies of non-forfeiture benefits).

SECT. 147 amended, 1938, 209 § 2; repealed, 1943, 227 § 10. (See 1943, 227 §§ 13, 14.)

SECT. 147A repealed, 1943, 227 § 10. (See 1943, 227 §§ 13, 14.)

SECT. 147B added, 1935, 232 (requiring foreign life insurance companies to provide for paid-up and extended term insurance and cash surrender values on policies of industrial life insurance issued in the commonwealth); repealed, 1943, 227 § 10. (See 1943, 227 §§ 13, 14.)

SECT. 149, first paragraph amended, 1954, 318.

SECTS. 149A-149D added, 1946, 455 (providing that certain unclaimed funds held by domestic life insurance companies be paid into the state treasury).

SECT. 149A revised, 1950, 523 § 1.

SECT. 149B amended, 1950, 523 § 2.

SECT. 149C amended, 1950, 523 § 3.

SECT. 149D, last sentence revised, 1949, 694 § 1; stricken out and two sentences inserted, 1950, 523 § 4; section revised, 1957, 372 § 4. (See 1949, 694 § 2; 1957, 372 § 5.)

SECT. 150 revised, 1945, 609 § 2; amended, 1946, 250.

SECT. 151, clause Second amended, 1933, 107 § 1; clause Second, subdivision (3) (c) revised, 1939, 488 § 7; 1950, 475 § 2; clause Second, subdivision (3) (f) revised, 1939, 488 § 8; 1950, 475 § 3. (See 1939, 488 § 9.)

SECT. 152A added, 1941, 716 § 4 (relative to the issue by certain foreign mutual insurance companies of non-assessable policies); sentence added at end, 1943, 247 § 3; same sentence amended, 1947, 257; sentence added at end, 1947, 197 § 3. (See 1941, 723; 1943, 247 § 4.)

SECT. 155, clause First revised, 1932, 150 § 2; amended, 1939, 400 § 2. (See 1932, 150 § 4.)

SECT. 156A amended, 1933, 30.

SECT. 157, paragraph added at end, 1939, 315; section revised, 1941, 451; first paragraph amended, 1952, 146.

SECT. 160A added, 1933, 25 § 1 (prohibiting the printing or publication of certain advertisements for or on behalf of unlicensed insurance companies).

SECT. 160B added, 1934, 14 § 1 (authorizing the commissioner of insurance to publish certain information relative to unlicensed foreign insurance companies or societies).

SECT. 162, third paragraph revised, 1941, 286.

SECT. 162A added, 1947, 629 (authorizing insurance companies and their agents to compensate duly licensed insurance brokers for certain services).

SECT. 162B added, 1954, 464 (authorizing agents and brokers to accept payment of insurance premiums in instalments and to finance insurance payments).

SECT. 163, paragraph added at end, 1941, 502; same paragraph revised, 1943, 85.

SECT. 164A added, 1938, 225 (providing that no insurance agent shall be charged with a decrease or deduction from his commission or salary on account of industrial life insurance policies lapsed or surrendered after being paid on for three years); revised, 1943, 226.

SECT. 167A amended, 1934, 137 § 3; 1937, 260; 1945, 368; revised, 1954, 627 § 33. (See 1954, 627 §§ 65, 67.)

SECT. 168, first sentence revised, 1950, 347 § 1; fourth sentence stricken out and two sentences inserted, 1950, 347 § 2; fourth sentence amended, 1951, 130.

SECT. 172, last sentence revised, 1941, 703.

SECT. 173 revised, 1946, 299.

SECT. 174, fourth paragraph amended, 1954, 294.

SECT. 174C added, 1941, 493 (relative to the qualifications and licensing of insurance agents, insurance brokers and special insurance brokers).

SECT. 174D added, 1955, 155 (authorizing the continuance of the business of an insurance agency by the widow of the owner under certain circumstances); revised, 1957, 161.

SECTS. 177A–177D added, under caption, 1939, 395 § 1 (defining and providing for the licensing of insurance advisers).

SECT. 177B, second and third paragraphs stricken out, and new paragraph inserted, 1941, 635 § 1; paragraph added at end, 1941, 635 § 2.

SECT. 178 amended, 1941, 450 § 2.

SECT. 179, sentence added at end, 1939, 472 § 2; section revised, 1941, 452.

SECT. 180A stricken out, and new sections 180A–180L inserted, under caption, 1939, 472 § 3 (relative to the rehabilitation, conservation and liquidation of certain domestic and foreign insurers).

SECT. 180B, first sentence revised, 1949, 242 § 2.

SECT. 181 revised, 1934, 160; amended, 1939, 395 § 4.

SECT. 184 amended, 1937, 103; first sentence revised, 1947, 531; section amended, 1948, 98.

SECT. 185, first paragraph amended, 1939, 400 § 3; second paragraph revised, 1932, 150 § 3; first and second paragraphs revised, 1941, 654 § 2; section revised, 1943, 238 § 2.

SECT. 186A added, 1949, 237 (relative to certain presumptions created by the delivery of endowment policies or annuity contracts).

SECT. 186B added, 1959, 168 § 1 (providing that the effect of the lack of a sworn statement of loss shall be the same under all policies of insurance as it is under fire insurance policies). (See 1959, 168 § 2.)

SECT. 187C, first paragraph amended, 1934, 34; 1936, 215 § 1. (See 1936, 215 § 2.)

SECT. 187E added, 1947, 104 (to facilitate payment by insurance companies of amounts not exceeding five hundred dollars due to estates of deceased persons).

SECT. 192, sentence added at end, 1943, 375 § 2.

SECT. 193B added, 1937, 314 (authorizing the payment of motor vehicle insurance premiums in instalments).

SECT. 193C added, 1948, 617 (authorizing interlocking directorates of domestic insurance companies).

SECT. 193D added, 1948, 621 (regulating the acquisition by domestic insurance companies of stock guaranty capital or other share capital of insurance companies).

SECT. 193E added, 1950, 520 (prohibiting coercion in the placing of insurance on real or personal property).

Chapter 175A. — Regulation of Rates for Certain Casualty Insurance, including Fidelity, Surety and Guaranty Bonds, and for all other Forms of Motor Vehicle Insurance, and Regulation of Rating Organizations.

New chapter inserted, 1947, 641 § 1. (See 1947, 641 § 3.)

SECT. 4, first paragraph amended, 1951, 138; revised, 1955, 384 § 8.

SECT. 6, subsection (f) added, 1955, 384 § 9.

SECT. 19, paragraph (c) amended, 1954, 681 § 19. (See 1954, 681 §§ 20-22.)

Chapter 175B. — Unauthorized Insurer's Process Act.

New chapter inserted, 1950, 781.

Chapter 176. — Fraternal Benefit Societies.

Chapter stricken out and new chapter inserted, 1958, 540 § 1. (See 1958, 540 §§ 2, 3.)

For prior changes see Table of Changes contained in Acts and Resolves of 1956.

The following references are to chapter 176, as so inserted:

SECT. 22A added, 1959, 256 § 1 (further regulating fraternal benefit societies and cemetery corporations). (See 1959, 256 § 3.)

Chapter 176A. — Non-Profit Hospital Service Corporations.

New chapter inserted, 1936, 409.

Chapter stricken out and new chapter 176A (with new title) inserted, 1950, 766 § 1. (See 1950, 766 §§ 2-4.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to chapter 176A, as so inserted:

SECT. 1, paragraph added at end, 1951, 687; section revised, 1953, 287 § 1; paragraph inserted after third paragraph, 1955, 499.

SECT. 2, second paragraph revised, 1956, 147 § 1. (See 1956, 147 § 2.)

SECT. 3, first sentence revised, 1953, 287 § 2.

SECT. 5, first paragraph revised, 1953, 287 § 3; amended, 1954, 513; fourth paragraph amended, 1953, 636 § 4; stricken out and two paragraphs inserted, 1956, 406. (See 1953, 636 § 9.)

SECT. 6, first two sentences revised, 1953, 287 § 4.

SECT. 8, paragraph (c) (2) revised, 1953, 287 § 5; paragraph (c) (5) added, 1955, 404; revised, 1956, 192 § 1. (See 1956, 192 § 2.)

SECT. 10, first paragraph revised, 1953, 287 § 6.

SECT. 13 revised, 1953, 287 § 7.

SECT. 17 revised, 1953, 636 § 5. (See 1953, 636 § 9.)

SECT. 27A added, 1951, 516 (relative to a system of general accident, hospitalization, medical and surgical insurance for state employees); repealed, 1955, 628 § 3.

Chapter 176B. — Medical Service Corporations.

New chapter inserted, 1941, 306.

For legislation relative to payments to certain soldiers' homes for certain services rendered to subscribers, see 1952, 296.

SECT. 2, second paragraph amended, 1957, 698 § 14.

SECT. 3, paragraph added at end, 1948, 359; amended, 1953, 143; paragraph added at end, 1953, 142; 1955, 186.

SECT. 4 revised, 1950, 472; 1959, 130.

SECT. 6, paragraph (*d*) added, 1957, 115 § 1. (See 1957, 115 § 2.)

SECT. 10 revised, 1950, 394 § 1; first sentence amended, 1954, 276 § 1.

SECT. 15 repealed, 1951, 797.

SECT. 16A added, 1943, 424 § 6 (relative to deductions from salaries of state, county and municipal employees of amounts payable under certificates issued by certain medical service corporations).

Chapter 176C. — Non-Profit Medical Service Plans.

New chapter inserted, 1941, 334.

For legislation relative to payments to certain soldiers' homes for certain services rendered to subscribers, see 1952, 296.

SECT. 11 revised, 1950, 394 § 2; amended, 1954, 276 § 2.

SECT. 16A added, 1943, 424 § 7 (relative to deductions from salaries of state, county and municipal employees of amounts payable under contracts issued by certain medical service corporations).

Chapter 176D. — Unfair Methods of Competition and Unfair and Deceptive Acts and Practices in the Business of Insurance.

New chapter inserted, 1947, 659.

Chapter 178. — Savings Bank Life Insurance.

For legislation relative to the computation of the reserve liability with respect to life insurance policies issued by savings and insurance banks and to the non-forfeiture benefits under such policies, see 1943, 227.

SECT. 10 amended, 1935, 330 § 1; 1946, 112 § 1; revised, 1951, 264; 1958, 117. (See 1946, 112 § 2.)

SECT. 11 amended, 1935, 330 § 2.

SECT. 11A added, 1935, 330 § 3 (relative to non-payment of premiums on annuity and certain other contracts).

SECT. 14 amended, 1947, 260 § 3.

SECT. 15 amended, 1935, 330 § 4; 1936, 285 § 1.

SECT. 16 revised, 1947, 260 § 4.

SECT. 17 revised, 1935, 330 § 5; 1939, 391 § 1. (See 1939, 391 § 2.)

SECT. 18 amended, 1943, 210 § 1.

SECT. 18A added, 1943, 210 § 2 (relative to payments to the general insurance guaranty fund).

SECT. 19 amended, 1935, 330 § 6.

SECT. 21 revised, 1935, 330 § 7; amended, 1936, 285 § 2.

SECT. 26 revised, 1932, 103.

SECT. 29 amended, 1936, 285 § 3; revised, 1941, 108 § 1.

SECT. 30 amended, 1936, 285 § 4.

SECT. 31 revised, 1941, 108 § 2.

SECTS. 32 and 33 added, 1947, 143 (creating the savings bank life insurance council and defining its powers and the powers of savings and insurance banks relative thereto).

Chapter 179. — Proprietors of Wharves, Real Estate lying in Common, and General Fields.

SECT. 3 revised, 1943, 130 § 1. (See 1943, 130 § 2.)

SECT. 15 revised, 1948, 550 § 38.

Chapter 180. — Corporations for Charitable and Certain Other Purposes.

SECT. 3 amended, 1943, 549 § 5; revised, 1947, 559 § 1. (See 1947, 559 § 7.)

SECT. 5 amended, 1934, 328 § 21; second sentence revised, 1947, 559 § 2.

SECT. 6 revised, 1947, 461; 1949, 692 § 1; 1952, 602 § 13.

SECT. 6A added, 1949, 692 § 2 (relative to the approval of certain proposed corporations organized for the purpose of caring for minors and aged persons); repealed, 1952, 602 § 14.

SECT. 7 amended, 1955, 170.

SECT. 8 repealed, 1947, 559 § 3.

SECT. 10 amended, 1932, 180 § 37; revised, 1937, 151 § 1; 1943, 549 § 6; 1947, 559 § 4; last sentence revised, 1957, 698 § 15.

SECT. 11 revised, 1937, 151 § 2; 1947, 559 § 5; seventh sentence revised, 1957, 698 § 16.

SECT. 12 amended, 1946, 24; last sentence revised, 1948, 354 § 2; section repealed, 1954, 529 § 4.

SECT. 12A amended, 1935, 246; 1946, 25; repealed, 1954, 529 § 5.

SECT. 17, first sentence revised, 1947, 559 § 6.

SECT. 17A added, 1950, 740 § 1 (authorizing pay-roll deductions for union dues in case of certain governmental employees); revised, 1954, 678.

SECT. 17B added, 1956, 489 § 1 (authorizing pay-roll deductions on account of contributions to community chests or united funds in the case of certain town employees); revised, 1959, 452. (See 1956, 489 § 2.)

SECT. 26A added, 1933, 236 § 1 (requiring the filing of annual returns by certain incorporated clubs and other corporations); amended, 1945, 225; revised, 1955, 290; 1956, 390; amended, 1957, 245; second paragraph amended, 1957, 698 § 17. (See 1933, 236 § 2.)

SECT. 27 amended, 1934, 328 § 22.

Chapter 181. — Foreign Corporations.

SECT. 3 revised, 1943, 459 § 4; amended, 1946, 342 § 1; last sentence revised, 1949, 54; 1955, 611 § 6.

SECT. 4, paragraph added at end, 1946, 342 § 2.

SECT. 12 amended, 1953, 351.

SECT. 23 amended, 1952, 315; 1957, 698 § 18.

Chapter 182. — Voluntary Associations and Certain Trusts.

SECT. 1 amended, 1954, 254 § 1.

SECT. 2 revised, 1948, 550 § 39.

SECT. 3 amended, 1945, 649 § 1.

SECT. 4 amended, 1945, 649 § 2.

SECT. 7 amended, 1945, 649 § 3.

SECT. 8 amended, 1945, 649 § 4.

SECT. 9 amended, 1945, 649 § 5.

SECTS. 12-14 added, 1954, 254 § 2 (relative to filing reports by voluntary associations and certain trusts).

Chapter 183. — Alienation of Land.

SECT. 4 revised, 1941, 85.

SECT. 28A added, 1946, 438 § 1 (extending the security of real estate mortgages to cover expenses of repairs or replacements of mortgaged property and taxes and other assessments); revised, 1956, 92.

SECT. 43 amended, 1937, 101 § 1.

SECT. 44 amended, 1937, 101 § 2.

SECT. 54, first two sentences stricken out and one sentence inserted, 1951, 698; sentence added at end, 1959, 580 § 18.

Chapter 184. — General Provisions relative to Real Property.

SECT. 7, sentence added at end, 1954, 395 § 1.

SECT. 8 revised, 1954, 395 § 2.

SECT. 13 amended, 1937, 112; revised, 1937, 245 § 1; first paragraph amended, 1943, 52 § 1; revised, 1956, 160; section repealed, 1957, 765 § 2. (See 1937, 245 § 2; 1943, 52 § 2; 1957, 765 § 21.)

SECT. 15 amended, 1941, 88 § 1. (See 1941, 88 § 2.)

SECT. 17A added, 1939, 270 (relative to the effect of agreements for the purchase and sale of real estate).

SECT. 19 amended, 1956, 258 § 1; three paragraphs added at end, 1956, 305.

SECT. 24 added, 1956, 348 § 1 (protecting certain titles to land against certain defects in deeds or instruments after ten years from the recording thereof). (See 1956, 348 §§ 2, 3.)

SECT. 25 added, 1959, 294 § 1 (protecting land titles against the effects of indefinite references). (See 1959, 294 § 2.)

Chapter 184A. — The Rule against Perpetuities.

New chapter inserted, 1954, 641 § 1. (See 1954, 641 § 2.)

Chapter 185. — The Land Court and Registration of Title to Land.

SECT. 1, clause (b) revised, 1935, 318 § 3; clause (c) revised, 1935, 318 § 4; clause ($j\frac{1}{2}$) added, 1934, 263 § 1 (granting to land court exclusive original jurisdiction to determine by declaratory judgment the validity and extent of municipal zoning ordinances, by-laws and regulations); clause (k) revised, 1934, 67 § 1; clauses (l) and (m) added, 1935, 318

§ 5 (granting to said court original jurisdiction concurrent with supreme judicial and superior courts of certain suits in equity); paragraph in lines 44-50, inclusive, revised, 1937, 183 § 1; paragraph in lines 51-55 revised, 1947, 449 § 3. (See 1934, 67 § 2; 1935, 318 § 8; 1937, 183 § 2; 1947, 449 § 7.)

SECT. 2 amended, 1937, 409 § 3. (See 1937, 409 § 7.)

SECT. 2A repealed, 1937, 409 § 4. (See 1937, 409 § 7.)

SECT. 6, first sentence stricken out and two sentences inserted, 1953, 449 § 1; last sentence amended, 1949, 447. (See 1953, 449 § 2.)

SECT. 10A revised, 1948, 664 § 3; 1953, 601.

SECT. 11 amended, 1954, 308; 1956, 519.

SECT. 12, sentence added at end, 1941, 27; section revised, 1943, 29; 1949, 47.

SECT. 13 revised, 1956, 553.

SECT. 14, sentence in lines 10-12 stricken out, 1946, 427 § 2; section revised, 1946, 544 § 3; first sentence amended, 1949, 696; section revised, 1951, 742 § 3; 1955, 733 § 3. (See 1946, 427 § 3, 544 § 5; 1951, 742 §§ 4, 5; 1953, 567; 1955, 733 §§ 4, 5.)

SECT. 25A added, 1933, 55 (relative to the power of the land court to enforce its orders and decrees, and relative to service of its processes).

SECT. 40 amended, 1937, 118.

SECT. 48, paragraph added at end, 1949, 48.

SECT. 78 amended, 1937, 144 § 1; revised, 1955, 306 § 1. (See 1937, 144 § 2.)

Chapter 186. — Estates for Years and at Will.

SECT. 12 revised, 1946, 202.

SECT. 14 revised, 1950, 495; amended, 1957, 114.

SECT. 15 added, 1945, 445 § 1 (making void certain provisions of leases and rental agreements pertaining to real property). (See 1945, 445 § 2.)

SECT. 16 added, 1947, 118 § 1 (making void so much of any real estate or rental agreement as provides for its termination in the event tenants have children). (See 1947, 118 § 2.)

Chapter 188. — Homesteads.

SECT. 1 amended, 1939, 32 § 1. (See 1939, 32 § 5.)

SECT. 9 amended, 1939, 32 § 2. (See 1939, 32 § 5.)

Chapter 189. — Dower and Curtesy.

SECT. 3 revised, 1936, 91 § 1. (See 1936, 91 § 2.)

SECT. 16 added, 1959, 68 § 1 (protecting land titles from certain claims for dower and curtesy). (See 1959, 68 § 2.)

Chapter 190. — Descent and Distribution of Real and Personal Property.

SECT. 1, paragraph (1) amended, 1945, 238 § 1; revised, 1956, 316 § 1. (See 1945, 238 § 2; 1956, 316 § 3.)

SECT. 3, clause (7) amended, 1959, 149.

SECT. 7 amended, 1943, 72 § 1.

Chapter 190A. — Effect of Apparently Simultaneous Deaths upon Devolution and Disposition of Property, including Proceeds of Insurance.

New chapter inserted, 1941, 549 § 1. (See 1941, 549 § 2.)

Chapter 191. — Wills.

SECT. 15 revised, 1956, 316 § 2. (See 1956, 316 § 3.)

Chapter 192. — Probate of Wills and Appointment of Executors.

SECT. 1A added, 1934, 113 (requiring that the attorney general be made a party in certain proceedings relative to the probate of wills).

SECT. 1B added, 1945, 338 § 1 (providing for a guardian ad litem when the surviving spouse of the deceased is under disability).

SECT. 7. See 1937, 408 § 3.

SECT. 9 amended, 1950, 390.

SECT. 12 added, 1954, 465 § 1 (requiring executors to notify devisees and legatees of devises and bequests). (See 1954, 465 § 4.)

Chapter 193. — Appointment of Administrators.

SECT. 3 amended, 1938, 328.

SECT. 4 amended, 1951, 163 § 1, 684 § 1. (See 1951, 684 § 2.)

SECT. 5 amended, 1951, 163 § 2.

SECT. 12 amended, 1945, 349 § 1.

Chapter 194. — Public Administrators.

SECT. 5A added, 1953, 333 (relative to the granting of administration to public administrators).

SECT. 7 revised, 1933, 100.

SECT. 9, last sentence amended, 1932, 180 § 38; section affected, 1932, 180 § 45.

SECT. 10. See 1936, 428.

Chapter 195. — General Provisions relative to Executors and Administrators.

SECTS. 1-4 repealed, 1933, 221 § 1. (See 1933, 221 § 8.)

SECT. 7 revised, 1945, 349 § 2.

SECT. 8 amended, 1933, 221 § 2. (See 1933, 221 § 8.)

SECT. 11, sentence added at end, 1954, 478 § 1.

SECT. 16 added, 1954, 562 § 1 (providing for the informal administration of certain small estates of deceased persons); first paragraph revised, 1956, 317 § 1; amended, 1958, 163 § 1; paragraph added at end, 1955, 413 § 1. (See 1955, 413 § 2; 1956, 317 § 3; 1958, 163 § 2.)

Chapter 196. — Allowances to Widows and Children, and Advancements.

SECT. 2 amended, 1933, 36; revised, 1936, 214.

Chapter 197. — Payment of Debts, Legacies and Distributive Shares.

SECT. 2 amended, 1933, 221 § 3. (See 1933, 221 § 8.)

SECT. 2A added, 1939, 298 (establishing limitations applicable to suits against, and regulating the payments of debts by, administrators de bonis non).

SECT. 9 amended, 1933, 221 § 4; 1954, 552 § 1. (See 1933, 221 § 8.)

SECT. 10 revised, 1954, 552 § 2.

SECT. 19 revised, 1954, 465 § 2. (See 1954, 465 §§ 3, 4.)

Chapter 200. — Settlement of Estates of Absentees.

SECT. 12 revised, 1941, 399 § 1.

SECTS. 13 and 14 stricken out and new section 13 inserted, 1941, 399 § 2.

SECT. 13 revised, 1946, 395.

Chapter 200A. — Abandoned Property.

New chapter inserted, 1950, 801.

SECT. 1, definition of "Person" revised, 1959, 470 § 1; definition of "Date prescribed for payment or delivery" added, 1959, 470 § 2.

SECT. 5 revised, 1958, 283; 1959, 470 § 3.

SECT. 7, paragraph (b) amended, 1957, 359 § 1.

SECT. 8, paragraph (b) revised, 1957, 359 § 2; paragraph (c) (1) revised, 1957, 359 § 3; 1959, 470 § 4.

SECT. 9, paragraph (c) revised, 1957, 359 § 4; paragraph (e) revised, 1957, 554 § 1. (See 1957, 554 § 2.)

SECT. 10 amended, 1953, 654 § 98; paragraph (e) revised, 1957, 359 § 5.

SECT. 13, first sentence stricken out, 1953, 654 § 99.

SECT. 14 amended, 1959, 236 § 2.

Chapter 201. — Guardians and Conservators.

SECT. 1 amended, 1945, 728 § 1; revised, 1956, 314 § 1. (See 1945, 728 § 4.)

SECT. 2 revised, 1958, 120 § 1. (See 1958, 120 § 2.)

SECT. 6 amended, 1941, 194 § 13; revised, 1956, 314 § 2.

SECT. 7 amended, 1941, 194 § 14; revised, 1956, 314 § 3.

SECT. 12 revised, 1956, 314 § 4.

SECT. 13, sentence added at end, 1934, 204 § 1; section amended, 1941, 194 § 15; revised, 1956, 314 § 5.

SECT. 13A added, 1941, 325 (providing for the removal of a permanent guardian of an insane person); revised, 1956, 314 § 6.

SECT. 14 amended, 1941, 194 § 16; revised, 1956, 314 § 7.

SECT. 16 revised, 1945, 728 § 2. (See 1945, 728 § 4.)

SECT. 18, new sentence added at end, 1934, 204 § 2.

SECT. 20, see 1945, 338 § 3; section revised, 1956, 314 § 8.

SECT. 21 revised, 1945, 728 § 3; amended, 1953, 571 § 3; second sentence revised, 1954, 330. (See 1945, 728 § 4.)

SECT. 22 revised, 1956, 314 § 9.

SECT. 24 revised, 1956, 314 § 10.

SECT. 26 revised, 1956, 314 § 11.

SECT. 30 amended, 1939, 57.

SECT. 33 amended, 1950, 420; sentence inserted after first sentence, 1954, 478 § 2; section revised, 1956, 314 § 12.

SECT. 38A added, 1958, 44 (authorizing a guardian or conservator to expend funds from his ward's estate for or towards the funeral and burial expenses of a deceased member of the ward's family).

SECT. 39A added, 1936, 270 (authorizing payments from estates of minors under guardianship for expenses for the funerals of the parents in certain cases).

SECT. 42 revised, 1956, 314 § 13.

SECT. 43 revised, 1956, 314 § 14.

SECT. 43A revised, 1956, 314 § 15.

SECT. 45. sentence added at end, 1945, 338 § 2; section revised, 1956, 314 § 16.

SECT. 47A added, 1937, 312 § 1 (permitting guardians and conservators to invest funds in certain insurance policies and annuity contracts).

SECT. 48A revised, 1941, 241; 1949, 14; 1950, 66 § 1; first sentence amended, 1952, 174 § 1; revised, 1954, 311 § 1; sentence added at end, 1952, 174 § 2; section revised, 1956, 314 § 17.

Chapter 201A. — Uniform Gifts to Minors Act.

New chapter inserted, 1957, 724.

SECT. 1, clause (a) revised, 1959, 22.

Chapter 202. — Sales, Mortgages and Leases of Real Estate by Executors, Administrators, Guardians and Conservators.

SECT. 4A added, 1933, 129 (relative to the use and management of real estate of a decedent by his executor or administrator for the purpose of the payment of debts from the rents thereof).

SECT. 12 amended, 1941, 194 § 17.

SECT. 14 amended, 1934, 157 § 1.

SECT. 19 amended, 1941, 341 § 1. (See 1941, 341 § 2.)

SECT. 20 revised, 1933, 221 § 5. (See 1933, 221 § 8.)

SECT. 32, first sentence amended, 1952, 445 § 2.

SECT. 36 added, under caption, 1945, 418 § 1 (relative to sales, mortgages and leases by guardians and conservators of wards holding real estate under tenancies by the entirety); section and caption revised, 1959, 125 § 1. (See 1945, 418 § 2; 1959, 125 § 2.)

Chapter 203. — Trusts.

SECT. 3A added, 1946, 287 § 1 (exempting trusts created by employers in connection with stock bonus, pension, disability, death benefit or profit sharing plans from the rule against perpetuities). (See 1946, 287 §§ 2, 3.)

SECT. 12, sentence added at end, 1954, 478 § 3.

SECT. 13 revised, 1943, 201 § 1. (See 1943, 201 § 3.)

SECT. 16 amended, 1934, 157 § 2.

SECT. 17A added, 1932, 50 (relative to the sale of real estate by foreign testamentary trustees).

SECT. 22 amended, 1936, 184 § 1. (See 1936, 184 § 2.)

SECTS. 24A and 24B added, under caption "SALVAGE OPERATIONS OF TRUSTEES", 1943, 389 § 1. (See 1943, 389 § 2.)

SECT. 25A added, under caption, 1937, 312 § 2 (permitting trustees to invest funds in certain insurance policies and annuity contracts).

SECT. 41 revised, 1948, 550 § 40.

Chapter 203A. — Collective Investment of Small Trust Funds.

New chapter inserted, 1941, 474.

SECT. 7 amended, 1949, 755; revised, 1952, 209; amended, 1955, 63.

SECT. 11 added, 1945, 67 (making redeemable obligations of the United States eligible investments for common trust funds).

Chapter 204. — General Provisions relative to Sales, Mortgages, Releases, Compromises, etc., by Executors, etc.

SECT. 26 amended, 1933, 221 § 6. (See 1933, 221 § 8.)

SECTS. 27-36 added, 1943, 152 (authorizing releases and disclaimers of powers of appointment and providing for the methods of releasing and disclaiming the same).

SECT. 37 added, 1943, 201 § 2 (authorizing the resignation of fiduciaries by their guardians, conservators or committees, or other like officers, acting in their behalf).

Chapter 205. — Bonds of Executors, Administrators, Guardians, Conservators, Trustees and Receivers.

SECT. 4 amended, 1941, 45 § 1.

SECT. 5 amended, 1941, 45 § 2.

SECT. 19A revised, 1950, 65; 1954, 309.

Chapter 206. — Accounts and Settlements of Executors, Administrators, Guardians, Conservators, Trustees and Receivers.

SECT. 7 amended, 1941, 194 § 18; revised, 1956, 314 § 18.

SECT. 16 amended, 1941, 36; revised, 1949, 140.

SECT. 17 amended, 1936, 208.

SECT. 19 repealed, 1938, 154 § 2.

SECT. 23 repealed, 1938, 154 § 2.

SECT. 24 revised, 1938, 154 § 1; 1950, 413.

SECT. 25 revised, 1950, 64 § 1; first sentence revised, 1954, 312 § 1.

SECT. 27 revised, 1950, 66 § 2; 1954, 311 § 2.

SECT. 27A added, 1950, 265 (relative to the disposition of certain legacies or distributive shares of estates to persons entitled thereto but unavailable).

SECT. 27B added, 1956, 257 (relative to the disposition of certain legacies or distributive shares of estates of deceased persons wherein the legatees or distributees reside in countries under Communist control).

Chapter 207. — Marriage.

SECT. 5 amended, 1941, 194 § 18A.

SECT. 7 revised, 1941, 270 § 1.

SECT. 14, paragraph added at end, 1951, 469.

SECT. 17 amended, 1945, 185.

SECT. 19 revised, 1948, 550 § 41; 1959, 118 § 1.

SECT. 20 amended, 1933, 127; sentence inserted after the word “residence” in line 18, 1943, 561 § 3.

SECT. 20A added, 1939, 269 § 3 (relative to the duties of city and town clerks in the case of the filing of notices of intention of marriage of pregnant females).

SECT. 20B added, 1941, 601 § 1 (requiring pre-marital physical examination); first paragraph amended, 1941, 697 § 1; second paragraph stricken out and three paragraphs inserted, 1941, 697 § 2; repealed, 1943, 561 § 2. (See 1941, 697 § 3.)

SECT. 21, first paragraph amended, 1956, 9; paragraph added at end, 1943, 168 § 2.

SECT. 22 revised, 1956, 7 § 1.

SECT. 28 amended, 1941, 601 § 2; 1959, 118 § 2. (See 1941, 601 § 4.)

SECT. 28A added, 1943, 561 § 1 (further regulating pre-marital examinations); revised, 1950, 113.

SECT. 30 amended, 1937, 11 § 1; 1945, 214 § 1; 1946, 197 § 1. (See 1937, 11 § 2; 1945, 214 § 2.)

SECT. 33 amended, 1941, 270 § 2.

SECT. 36 revised, 1946, 273 § 1.

SECT. 38 revised, 1932, 162; amended, 1946, 197 § 2; 1949, 249.

SECT. 39 revised, 1958, 438.

SECT. 40 revised, 1946, 197 § 3.

SECT. 42 amended, 1946, 197 § 4.

SECT. 47A added, under caption, 1938, 350 § 1 (abolishing causes of action for breach of contract to marry). (See 1938, 350 § 3.)

SECT. 52 revised, 1943, 312 § 1. (See 1943, 312 § 2.)

SECT. 55 repealed, 1946, 273 § 2.

SECT. 57 amended, 1941, 601 § 3. (See 1941, 601 § 4.)

Chapter 208. — Divorce.

SECT. 2 revised, 1937, 76 § 1. (See 1937, 76 § 2.)

SECT. 6B added, 1958, 162 § 1 (prohibiting the filing of a libel for divorce unless the parties have been living apart for at least three months). (See 1958, 162 § 2.)

SECTS. 9-11 revised, 1943, 196 § 1. (See 1943, 196 § 2.)

SECT. 19 revised, 1932, 3.

SECT. 20A added, 1953, 213 § 1 (authorizing a decree for living apart for justifiable cause in certain cases where a divorce decree has been denied). (See 1953, 213 § 2.)

SECT. 21, sentence added at end, 1934, 181 § 1. (See 1934, 181 § 2.)

SECT. 24 amended, 1943, 168 § 1.

SECT. 24A added, 1948, 66 (providing that copies of or certificates relating to decrees of divorce shall contain certain information relative to decrees nisi and to rights to remarry).

SECT. 26 repealed, 1949, 76 § 1.

SECT. 27 revised, 1949, 76 § 2.

SECT. 33 revised, 1936, 221 § 1. (See 1936, 221 § 2.)

SECT. 35 amended, 1950, 57.

SECT. 38 revised, 1933, 288.

SECT. 44 amended, 1955, 770 § 77. (See 1955, 770 §§ 117, 123.)

SECT. 45 amended, 1948, 279.

SECT. 46 amended, 1952, 86.

Chapter 209. — Husband and Wife.

SECT. 10 revised, 1948, 550 § 42.

SECT. 21 amended, 1939, 32 § 3. (See 1939, 32 § 5.)

SECT. 32, sentence added at end, 1938, 136.

SECT. 33 revised, 1933, 360.

Chapter 210. — Adoption of Children and Change of Names.

SECT. 1 amended, 1941, 44.

SECT. 2 revised, 1950, 737 § 1; affected, 1951, 148.

SECT. 2A added, 1954, 649 § 1 (providing certain requirements relative to petitions for adoption); paragraph (E) revised, 1957, 184. Affected, 1955, 117.

SECT. 3 amended, 1941, 61; 1945, 239; revised, 1945, 300; amended, 1951, 674; revised, 1952, 352; 1953, 61; amended, 1955, 89.

SECT. 3A added, 1953, 593 § 1 (relative to consent to the adoption of children in certain cases).

SECT. 4 revised, 1953, 593 § 2.

SECT. 5A revised, 1950, 737 § 2; paragraph added at end, 1954, 649 § 2.

SECT. 5B added, 1950, 737 § 3 (providing that adoptive parents shall be of the same religion as the child when practicable).

SECT. 5C added, 1951, 173 (relative to the segregation and inspection of adoption papers); amended, 1957, 187 § 1; revised, 1958, 59. (See 1957, 187 § 2.)

SECT. 6, paragraph added at end, 1943, 155 § 1; same paragraph revised, 1955, 107 § 1; paragraph added at end, 1950, 737 § 4.

SECT. 6A added, 1955, 107 § 2 (providing for the issuance of certificates of adoption and the correction of birth records to conform to such certificates); paragraph added at end, 1957, 274.

SECT. 7, sentence added at end, 1950, 737 § 5.

SECT. 8 revised, 1958, 121 § 1. (See 1958, 121 §§ 2, 3.)

SECT. 11A revised, 1950, 737 § 6.

SECT. 13, first paragraph amended, 1948, 247; paragraph added at end, 1943, 155 § 2.

Chapter 211. — The Supreme Judicial Court.

SECT. 3, paragraph added at end, 1956, 707 § 1.

SECTS. 3A-3F added, 1956, 707 § 2 (providing for an executive secretary to the justices of the supreme judicial court).

SECT. 4 amended, 1945, 465.

SECT. 11 revised, 1933, 300 § 1. (See 1933, 300 § 4.)

SECT. 12 revised, 1958, 165 § 1.

SECT. 13 revised, 1952, 416; 1958, 165 § 2.

SECT. 17 revised, 1958, 65 § 1.

SECT. 19 revised, 1938, 115 § 1.

SECT. 22 revised, 1946, 544 § 1; 1951, 742 § 1; 1955, 733 § 1. (See 1946, 544 § 5; 1951, 742 §§ 4, 5; 1955, 733 §§ 4, 5; 1956, 333; 1957, 246 §§ 1, 2.)

Chapter 212. — The Superior Court.

For act further extending to June 30, 1949, the operation of certain provisions of law (1923, 469, as amended) relative to the more prompt disposition of criminal cases in the superior court, see 1948, 230. (See 1949, 210 § 2.)

SECT. 1 amended, 1958, 370.

SECT. 6 amended, 1953, 319 § 24. (See 1953, 319 §§ 39, 40.)

SECT. 14 revised, 1932, 144 § 1. (For prior temporary legislation, see 1927, 306; 1948, 230.)

SECT. 14A added, 1932, 144 § 2 (regulating the establishing of sessions and sittings of the superior court). (For prior temporary legislation, see 1927, 306; 1928, 228.)

SECTS. 14B-14E added, 1949, 210 § 1 (making permanent the operation of certain provisions of law relative to the more prompt disposition of criminal cases by district court judges sitting in the superior court). (See 1949, 210 § 3.)

SECT. 14B revised, 1954, 668 § 1; 1956, 472 § 1. (See 1954, 668 § 2; 1956, 472 § 2.)

SECT. 14E, first sentence amended, 1952, 477.

SECTS. 15-18 repealed, 1932, 144 § 3.

SECT. 20A added, 1949, 139 (relative to central pools of jurors summoned for attendance upon the superior court).

SECT. 22 amended, 1934, 287; 1943, 145 § 1; sentence added at end, 1943, 244 § 3. (See 1943, 145 § 2.)

SECT. 24 amended, 1943, 244 § 4.

SECT. 25 amended, 1932, 144 § 4.

SECT. 26A added, 1935, 229 § 1 (providing for the transfer from the superior court to the land court of certain actions at law and suits in equity where any right, title or interest in land is involved). (See 1935, 229 § 2.)

SECT. 27 revised, 1946, 544 § 2; 1951, 742 § 2; 1955, 733 § 2. (See 1946, 544 § 5; 1951, 742 §§ 4, 5; 1953, 567; 1954, 651; 1955, 475, 733 §§ 4, 5; 1956, 423 §§ 1, 3; 1957, 246 § 3.)

SECT. 28A repealed, 1949, 654 § 2.

SECT. 30 added, 1959, 600 (providing for a panel of three associate justices of the superior court to act upon labor dispute cases).

Chapter 213. — Provisions Common to the Supreme Judicial and Superior Courts.

SECTS. 1A and 1B added, 1939, 257 § 1 (granting to the superior court jurisdiction of certain extraordinary writs and certain other matters, concurrently with the supreme judicial court). (See 1939, 257 § 2.)

SECT. 1A amended, 1941, 28, 180.

SECTS. 1C and 1D added, 1943, 374 § 4 (providing for changing a petition for certiorari into a petition for mandamus and vice versa and providing for appeals from judgments upon such petitions).

SECT. 1D, first sentence amended, 1957, 155.

SECT. 3, clause Tenth A revised, 1945, 582 § 2 (see 1945, 582 §§ 4, 5); clause Tenth B added, 1943, 374 § 3 (providing for the presentation at hearings upon petitions for certiorari of evidence at proceedings complained of in such petitions).

SECT. 3A added, 1949, 654 § 1 (relative to the printing of rules of the supreme judicial and superior courts); last sentence revised, 1959, 302 § 1. (See 1959, 302 § 2.)

SECT. 4 revised, 1947, 449 § 5. (See 1947, 449 § 7.)

SECT. 6 amended, 1932, 144 § 5.

Chapter 214. — Equity Jurisdiction and Procedure in the Supreme Judicial and Superior Courts.

SECT. 1 amended, 1935, 407 § 2. (See 1935, 407 § 6; 1937, 436 § 10; G. L. 150A § 6 (*h*) inserted by 1938, 345 § 2.)

SECT. 1A added, 1954, 439 § 1 (relative to suits in equity for specific performance). (See 1954, 439 § 3.)

SECT. 2 amended, 1954, 439 § 2. (See 1954, 439 § 3.) Affected, 1939, 257 § 1.

SECT. 3, clause (1) revised, 1950, 387; clause (12) added at end, 1939, 194 § 1.

SECT. 9 amended, 1934, 381; 1935, 407 § 3; last sentence amended, 1947, 571 § 1. (See 1935, 407 § 6; 1937, 436 § 10; G. L. 150A § 6 (*h*) inserted by 1938, 345 § 2.)

SECT. 9A added, 1935, 407 § 4 (limiting authority of courts to grant injunctive relief in cases involving or growing out of labor disputes); subsection (2) amended, 1950, 452 § 3. (See 1935, 407 § 6; 1937, 436 § 10; G. L. 150A § 6 (*h*) inserted by 1938, 345 § 2; 1950, 452 §§ 5-7.)

SECT. 9B added, 1947, 571 § 2 (relative to the issuance of injunctions in certain jurisdictional disputes).

SECT. 22 amended, 1948, 309.

SECT. 23 revised, 1945, 394 § 1; 1947, 365 § 2. (See 1945, 394 § 2.)

SECT. 24 amended, 1947, 365 § 1.

SECT. 38 repealed, 1958, 65 § 2.

Chapter 215. — Probate Courts.

SECT. 3, sentence added at end, 1949, 56.

SECT. 6 amended, 1933, 237 § 1; revised, 1937, 257; first sentence amended, 1939, 194 § 2; sentence inserted after second sentence, 1958, 223; sentence inserted before last sentence, 1950, 485 § 3; 1951, 657 § 2; same sentence stricken out, 1954, 556 § 2. (See 1954, 556 § 10.)

SECT. 6B added, 1935, 247 § 1 (providing for interpretative judgments in the probate courts as to the meaning of written instruments); repealed, 1945, 582 § 3. (See 1935, 247 § 2; 1945, 582 § 5.)

SECT. 9, sentence added at end, 1945, 469 § 1; same sentence stricken out, 1947, 360. (See 1945, 469 § 2; 1946, 88, 610 § 1; 1947, 97 § 1.)

SECT. 11 amended, 1947, 365 § 3.

SECT. 30A amended, 1934, 330; revised, 1956, 664.

SECT. 36 revised, 1956, 187; 1957, 32; amended, 1958, 498.

SECT. 39A added, 1947, 536 (relative to counsel fees in the probate courts); paragraph added at end, 1951, 80.

SECT. 39B added, 1951, 312 (relative to counsel fees and certain other expenses in probate courts).

SECT. 41 revised, 1950, 66 § 3; amended, 1954, 311 § 3.

SECT. 42, sentence added at end, 1952, 184 § 2. (See 1952, 184 § 4.)

SECT. 44, last sentence revised, 1941, 323 § 1; section amended, 1943, 91. (See 1941, 323 § 2.)

SECT. 51 repealed, 1955, 418 § 2. (See 1955, 418 § 3.)

SECT. 58 revised, 1947, 449 § 4. (See 1947, 449 § 7.)

SECT. 61 repealed, 1939, 65 § 1. (See 1939, 65 § 2.)

SECT. 62, paragraph in lines 11-16 revised, 1950, 108 § 1; paragraph in lines 17-20 revised, 1932, 107; 1936, 241; 1956, 159; paragraph in lines 26-28 revised, 1951, 514; paragraph in lines 29-33 revised, 1934, 24; paragraph in lines 34-37 amended, 1934, 54; same paragraph revised, 1934, 175 § 1; 1949, 444; paragraph in lines 38-42 revised, 1950, 416; paragraph in lines 45-51 revised, 1935, 132; paragraph in lines 56 and 57 revised, 1933, 274. (See 1934, 175 § 2; 1950, 108 § 2.)

Chapter 217. — Judges and Registers of Probate and Insolvency.

For legislation relative to abolition of office of special judge of probate and insolvency on the death, resignation or removal of the incumbent, see 1937, 408 § 8.

For legislation providing special retirement rights for the judges of probate for the counties of Dukes and Nantucket, see 1951, 760.

SECT. 1 amended, 1935, 434 § 1; revised, 1949, 716 § 1, 738 § 1.

SECT. 2 amended, 1934, 290; 1935, 434 § 2; first sentence revised, 1949, 716 § 2, 717, 738 § 2.

SECT. 3, sentence added at end, 1949, 436 § 1; revised, 1951, 517.

SECTS. 5 and 6 stricken out and new sections 5. 5A, 6, 6A inserted, 1937, 408 § 3. (See 1937, 408 § 9.)

SECT. 7, sentence added at end, 1937, 408 § 4. (See 1937, 408 §§ 3, 9.)

SECT. 8 revised, 1937, 408 § 5. (See 1937, 408 § 9.)

SECT. 15A added, 1952, 184 § 3 (relative to printing or typing names of persons whose signatures appear on certain instruments filed in probate courts). (See 1952, 184 § 4.)

SECT. 19 amended, 1948, 354 § 1; 1954, 529 § 2.

SECT. 24 amended, 1943, 464 § 1. (See 1943, 464 § 2.)

SECT. 24A revised, 1939, 392; 1947, 348.

SECT. 25 amended, 1947, 347; revised, 1957, 511.

SECT. 25A added, 1945, 475 § 1 (providing for a permanent third assistant register of probate for the county of Essex); revised, 1946, 482; 1956, 440 § 1. (See 1945, 475 § 2.)

SECT. 29, sentence added at end, 1958, 539.

SECT. 30 revised, 1935, 143 § 1;* 1935, 313 § 1; 1936, 252 § 1; 1941, 226 § 1; paragraph added at end, 1951, 611 § 1; section revised, 1951, 700, 793 § 1; first sentence revised, 1955, 378. (See 1935, 313 § 3; 1936, 252 § 2; 1941, 226 § 2.)

SECT. 31 amended, 1951, 793 § 2.

* Void for non-acceptance.

SECT. 31A added,* 1935, 313 § 2 (providing for the appointment of a messenger for the probate court of Essex county). (See 1935, 313 § 3.)

SECT. 32A revised, 1952, 229 § 1.

SECT. 34 revised, 1937, 408 § 1; 1946, 544 § 4; 1951, 745 § 1; 1955, 733 § 7. (See 1937, 408 § 9; 1946, 544 § 5; 1951, 745 §§ 1A, 1B; 1955, 395, 733 §§ 4, 5, 749 §§ 1, 2; 1956, 423 §§ 2, 3.)

SECTS. 35A and 35B added, 1947, 678 § 2 (establishing the salaries of registers of probate and assistant registers). (See 1947, 678 § 3.)

SECT. 35A amended, 1949, 714; revised, 1951, 713 § 1; 1955, 638 § 1; 1956, 671 § 1. (See 1951, 713 § 3; 1955, 638 § 3; 1956, 671 § 3.)

SECT. 35B revised, 1951, 713 § 2; amended, 1953, 564; revised, 1955, 638 § 2; amended, 1956, 440 § 2; revised, 1956, 671 § 2; amended, 1957, 508. (See 1951, 713 § 3; 1955, 638 § 3; 1956, 671 § 3.)

SECT. 38 repealed, 1937, 408 § 2.

SECT. 40 revised, 1937, 408 § 6. (See 1937, 408 § 9.)

SECT. 41 amended, 1937, 408 § 7; 1941, 503; revised, 1959, 286. (See 1937, 408 §§ 8, 9.)

SECT. 42 amended, 1957, 575.

Chapter 218. — District Courts.

For act further extending to June 30, 1949, the operation of certain provisions of law (1923, 469, as amended) authorizing certain justices of district courts to sit in criminal cases in the superior court, see 1948, 230.

For legislation limiting the number of special justices of certain district courts, see 1941, 664.

SECT. 1, first paragraph under caption "*Franklin*" revised, 1932, 87 § 1; section amended, 1939, 451 § 59; third paragraph under caption "*Norfolk*" revised, 1949, 590 § 1; fifth paragraph under caption "*Suffolk*" revised, 1949, 273 § 1. (See 1949, 590 §§ 2-4, 739; 1951, 758.)

SECT. 2A added, 1951, 325 (providing for the transfer of certain actions brought in district courts).

SECT. 6, first paragraph revised, 1941, 664 § 1; second paragraph revised, 1945, 611; section revised, 1947, 588 § 1; first and second paragraphs revised, 1949, 731; 1951, 762 § 1; 1952, 560; last sentence of third paragraph stricken out and two sentences inserted, 1949, 768; third paragraph revised, 1950, 575; section revised, 1956, 738 § 1; third paragraph revised, 1956, 744 § 1. (See 1941, 664 §§ 2, 3; 1947, 588 §§ 2, 3; 1951, 762 § 4; 1956, 738 §§ 1A, 13, 14, 744 §§ 2, 3.)

SECT. 8 revised, 1936, 282 § 1. (See 1936, 282 § 3.)

SECT. 9, sentence added at end, 1934, 217 § 1; section revised, 1951, 604 § 1; first sentence amended, 1952, 156 § 1.

SECT. 10 amended, 1932, 160 § 1; 1937, 297 § 1; 1938, 193 § 1; first paragraph amended, 1946, 182; 1947, 335 § 1; 1949, 443; 1959, 559 § 1; second sentence revised, 1959, 596; third sentence revised, 1950, 444; amended, 1955, 723; second paragraph revised, 1938, 222 § 1; amended, 1949, 800; 1951, 541 § 1; revised, 1957, 601 § 2; paragraph added at end, 1941, 309 § 1; another paragraph added at end, 1948, 642 § 1. (See 1937, 297 § 2; 1938, 193 § 2, 222 § 2; 1947, 335 § 2; 1951, 541 § 2.)

SECT. 10A added, 1956, 353 (authorizing the designation of deputy assistant clerks of the district courts).

* Void for non-acceptance.

SECT. 11 revised, 1951, 604 § 2; first sentence amended, 1952, 156 § 2.

SECT. 13 revised, 1937, 59; first paragraph stricken out, 1939, 157 § 1.
(See 1939, 157 § 4.)

SECT. 15 revised, 1939, 230 § 1, 347 § 1; first paragraph amended, 1947, 460 § 1; paragraph inserted after first paragraph, 1956, 738 § 5. (See 1939, 230 § 2; 1947, 460 § 2; 1956, 738 §§ 13, 14.)

SECT. 16 revised, 1937, 219 § 3; 1939, 214 § 5.

SECT. 17, sentence added at end, 1956, 738 § 12. (See 1956, 738 §§ 13, 14.)

SECT. 19 amended, 1934, 387 § 1; 1943, 296 § 1; sentence added at end, 1954, 556 § 3; section revised, 1954, 616 § 1; 1958, 369 § 1. (See 1934, 387 § 5; 1943, 296 § 6, 437; 1954, 556 § 10, 616 § 5; 1956, 426; 1958, 369 § 4.)

SECT. 21 amended, 1953, 168.

SECT. 22 amended, 1937, 310; first sentence revised, 1954, 328 § 1.
(See 1954, 328 § 4.)

SECT. 23 amended, 1950, 500 § 1.

SECT. 26 revised, 1937, 301 § 1; 1938, 365 § 1; amended, 1958, 138.
(See 1937, 301 § 2; 1938, 365 § 2.)

SECT. 29 amended, 1932, 55.

SECT. 30 amended, 1941, 194 § 19.

SECT. 32 amended, 1958, 48 § 1.

SECT. 35A added, 1943, 349 § 1 (providing that certain persons against whom complaints are made in district courts may be given an opportunity to be heard before issuance of process); revised, 1945, 293. (See 1943, 349 § 2.)

SECT. 37 amended, 1945, 250 § 1; 1958, 48 § 2.

SECT. 38, second sentence revised, 1939, 347 § 2.

SECT. 40, fourth sentence revised, 1948, 398 § 1.

SECT. 43 amended, 1939, 347 § 3.

SECT. 43A, first paragraph amended, 1938, 324; section revised, 1941, 682 § 1; first paragraph amended, 1943, 101; 1956, 738 § 4. (See 1941, 682 §§ 1A, 2; 1956, 738 §§ 13, 14.)

SECT. 43B added, 1950, 210 (prescribing the use of uniform official blanks in certain district courts).

SECT. 52, third sentence amended, 1948, 398 § 2; last sentence revised, 1949, 462.

SECT. 53, first sentence revised, 1950, 245; first paragraph amended, 1948, 642 § 2; paragraph added after the first paragraph, 1936, 230.

SECT. 53A added, 1951, 604 § 3 (relative to the appointment and salaries of temporary assistant clerks in the Boston Municipal Court).

SECT. 58 revised, 1936, 282 § 2; sentence added at end, 1955, 343. (See 1936, 282 § 3.)

SECT. 59, paragraph added at end, 1948, 248 § 1.

SECT. 62 amended,* 1932, 235 § 1; revised,* 1932, 247 § 1; amended, 1935, 71 § 1; 1937, 298; revised, 1939, 305; amended, 1941, 309 § 3, 348; 1945, 294; 1946, 264 § 1, 300; 1949, 668; 1953, 138 § 1; 1955, 633 § 1; revised, 1957, 601 § 1. (See 1935, 71 § 2; 1946, 264 § 2; 1953, 138 § 2; 1955, 633 § 2.)

SECT. 63 revised, 1935, 341.

* Void for non-acceptance.

SECT. 65, last sentence stricken out, 1949, 621.

SECT. 75 revised, 1946, 609 § 1; 1951, 749 § 1; 1955, 748 § 1. (See 1946, 609 § 3; 1951, 749 § 2A; 1954, 347, 527; 1955, 748 §§ 1A, 1B, 2.)

SECT. 75A added, 1946, 512 § 2 (relative to the compensation of clerks and assistant clerks of the municipal court of the city of Boston); revised, 1946, 609 § 2; 1949, 261; 1951, 749 § 2. (See 1946, 512 § 3, 609 § 3.)

SECT. 76 amended, 1932, 269 § 1; 1935, 366 § 1; 1937, 378 § 1; revised, 1939, 451 § 60; amended, 1945, 476 § 1; 1946, 453, 498 § 1; revised, 1946, 530, 578; amended, 1946, 600; revised, 1947, 576; 1948, 667 § 1; 1949, 461 § 1; 1951, 768 § 1A; 1959, 609 § 6. (See 1935, 366 § 3; 1945, 476 § 2; 1948, 667 §§ 6, 7; 1949, 461 § 2; 1951, 768 § 3B; 1952, 114 § 1.)

SECT. 77 revised, 1937, 294; 1948, 667 § 2; 1951, 768 § 1; repealed, 1955, 741 § 1A. (See 1948, 667 § 5A; 1949, 312 § 2; 1951, 768 § 3B; 1952, 114 § 1; 1955, 741 §§ 2, 3.)

SECT. 77A added, 1948, 656 § 1 (relative to the salaries and retirement of justices and clerks in the district court of Springfield, the central district court of Worcester and the first and third district courts of eastern Middlesex); sentence inserted after first sentence, 1949, 805 § 1; amended, 1951, 762 § 2; revised, 1951, 768 § 2; amended, 1952, 603 § 1; 1955, 334; section revised, 1956, 738 § 2; 1958, 675 § 1; first paragraph amended, 1959, 568 § 1, 586 § 1; third paragraph amended, 1959, 77. (See 1948, 656 §§ 2, 3; 1949, 805 § 3; 1951, 768 § 3B; 1952, 114; 1953, 298, 380; 1956, 738 §§ 13, 14; 1957, 125; 1958, 675 §§ 3, 4.)

SECT. 78 revised, 1948, 667 § 3; sentence inserted before first sentence, 1949, 710; section amended, 1949, 312 § 1, 805 § 2, 611, 482; 1951, 762 § 3; revised, 1951, 768 § 3; amended, 1952, 603 § 2; 1953, 453; revised, 1955, 741 § 1; 1956, 738 § 3; 1958, 675 § 2; amended, 1959, 568 § 2, 586 § 2; paragraph added at end, 1959, 583. (See 1948, 667 §§ 6, 7; 1949, 312 § 2, 805 § 3; 1951, 768 § 3B; 1952, 114 § 1; 1955, 741 §§ 2, 3; 1956, 738 §§ 13, 14; 1958, 675 §§ 3, 4.)

SECT. 79 amended, 1941, 309 § 2; revised, 1941, 447 § 2; amended, 1943, 136 § 2; revised, 1948, 667 § 4; 1956, 738 § 6; amended, 1957, 735; revised, 1959, 609 § 1. (See 1941, 447 §§ 4, 5; 1943, 136 § 3; 1948, 667 §§ 6, 7; 1953, 421; 1956, 738 §§ 11, 13, 14; 1959, 609 §§ 4, 5, 8, 9.)

SECT. 80, sentence added at end, 1935, 366 § 2; section amended, 1936, 229 § 1; 1937, 378 § 2; revised, 1941, 447 § 3; amended, 1946, 498 § 2; revised, 1948, 667 § 5; 1949, 799; 1951, 768 § 3A; amended, 1957, 559 § 1; revised, 1959, 609 § 2. (See 1935, 366 § 3; 1936, 229 § 2; 1941, 447 §§ 4, 5; 1948, 667 §§ 6, 7; 1951, 768 § 3B; 1952, 114 § 1; 1957, 559 § 2; 1959, 609 §§ 4, 5, 8, 9.)

SECT. 80A added, 1947, 400 § 2 (relative to the salaries of the secretary and assistant secretary to the justices of the municipal court of the city of Boston); revised, 1951, 288 § 1. (See 1947, 400 §§ 3, 4; 1951, 288 § 2.)

SECT. 81 revised, 1939, 296 § 1; amended, 1956, 738 § 7. (See 1939, 296 § 3; 1956, 738 §§ 13, 14.)

SECT. 82 repealed, 1956, 738 § 8. (See 1956, 738 §§ 13, 14.)

SECT. 82A added, 1945, 486 § 1 (relative to salaries of court officers of the municipal court of the city of Boston); revised, 1949, 381; 1951, 788 § 1. (See 1945, 486 § 3; 1951, 788 § 2.)

Chapter 219. — Trial Justices.

Chapter repealed, 1953, 319 § 1. (See 1953, 319 §§ 39, 40.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

Chapter 220. — Courts and Naturalization.

SECT. 2 amended, 1953, 319 § 25. (See 1953, 319 §§ 39, 40.)

SECT. 6 revised, 1947, 449 § 6. (See 1947, 449 § 7.)

SECT. 13 amended, 1953, 319 § 26. (See 1953, 319 §§ 39, 40.)

SECTS. 13A and 13B added, 1935, 407 § 5 (regulating procedure in trials for contempt arising out of disobedience to decrees or process of courts in labor dispute cases). (See 1935, 407 § 6; 1937, 436 § 10; G. L. 150A § 6 (*h*) inserted by 1938, 345 § 2.)

SECT. 14A added, 1936, 206 § 1 (relative to the time within which certain justices shall render their decisions). (See 1936, 206 § 2.)

SECTS. 16 and 17 repealed, 1932, 144 § 3.

SECT. 19 repealed, 1932, 16.

Chapter 221. — Clerks, Attorneys and Other Officers of Judicial Court.

SECT. 4 amended, 1935, 89 § 1; 1937, 158 § 1; 1943, 336 § 1; revised, 1946, 248 § 1; amended, 1955, 354 § 1; revised, 1957, 634. (See 1935, 89 § 2; 1937, 158 § 2; 1943, 336 § 3; 1955, 354 § 2.)

SECT. 5 amended, 1932, 51; 1943, 336 § 2; second paragraph revised, 1958, 327 § 1; fourth paragraph revised, 1957, 585 § 1; fifth paragraph revised, 1951, 228; 1959, 557; paragraph inserted after fifth paragraph, 1956, 432 § 1; sixth paragraph revised, 1949, 379; 1950, 324. (See 1943, 336 § 3; 1958, 327 § 2.)

SECT. 6 amended, 1954, 342 § 1; 1957, 555 § 1.

SECT. 6A added, 1947, 443 (providing for the appointment of an equity clerk of the superior court for the county of Middlesex); revised, 1949, 774 § 3. (See 1949, 774 § 5.)

SECT. 6B added, 1953, 300 (providing for the designation of an assistant clerk to perform duties of equity clerk in the superior court for the county of Essex).

SECT. 12 revised, 1937, 219 § 4; 1939, 214 § 6.

SECT. 24 revised, 1936, 31 § 3; repealed, 1956, 707 § 3.

SECT. 25 stricken out, 1953, 319 § 27. (See 1953, 319 §§ 39, 40.)

SECT. 27 revised, 1939, 157 § 2. (See 1939, 157 § 4.)

SECT. 27A added, 1939, 157 § 3 (relative to the disposal of certain obsolete and useless papers of courts); revised, 1945, 323 § 1; amended, 1946, 150; subdivision (1) of first paragraph revised, 1952, 276 § 1. (See 1939, 157 § 4; 1945, 323 § 2.)

SECT. 34C amended, 1947, 601.

SECT. 35 amended, 1949, 574 § 1.

SECT. 36 amended, 1945, 157; last sentence revised, 1957, 748 § 1.

SECT. 36A added, 1945, 261 (relative to educational requirements for admission to the bar of persons serving in the armed forces in World War II).

SECT. 37, third sentence stricken out and two sentences inserted, 1957, 748 § 2.

SECT. 43 revised, 1939, 197 § 1.

SECTS. 44A and 44B added, 1939, 197 § 2 (prohibiting employees and other persons connected with hospitals from furnishing certain information about certain personal injury cases to attorneys at law).

SECT. 44A amended, 1943, 293.

SECT. 46 revised, 1935, 346 § 1.

SECTS. 46A and 46B added, 1935, 346 § 2 (prohibiting individuals not members of the bar from practicing law or attempting so to do and providing a means of restraining unauthorized practice of law).

SECT. 46B amended, 1947, 75; 1955, 697 § 2.

SECT. 46C added, 1955, 697 § 1 (relative to debt pooling plans).

SECT. 47 repealed, 1935, 346 § 3.

SECT. 49 repealed, 1935, 346 § 3.

SECT. 50 stricken out, and sections 50, 50A, 50B inserted, 1945, 397 § 1. (See 1945, 397 § 3.)

SECT. 53 amended, 1939, 151; 1954, 385 § 1. (See 1954, 385 § 2.)

SECT. 58 amended, 1932, 40 § 1.

SECT. 60 repealed, 1932, 40 § 2.

SECT. 63 amended, 1939, 6 § 1. (See 1939, 6 §§ 2, 3.)

SECT. 68 amended, 1946, 591 § 46A; 1952, 588.

SECT. 70, first paragraph amended, 1954, 172 § 1; revised, 1957, 228 § 1; paragraph inserted after second paragraph, 1954, 172 § 1; paragraph inserted after paragraph so inserted, 1957, 228 § 1; section revised, 1957, 697; fifth paragraph revised, 1958, 676.

SECT. 71 amended, 1957, 228 § 2.

SECT. 71A added, 1949, 177 (establishing the office of assistant chief deputy sheriff for attendance upon the superior court in Suffolk county).

SECT. 72 amended, 1957, 228 § 3.

SECT. 73 revised, 1935, 182 § 2; 1938, 347 § 2; 1941, 448 § 1; 1945, 388 § 1; 1946, 427 § 1; amended, 1946, 593 § 1; revised, 1949, 718; first sentence revised, 1951, 792. (See 1935, 182 §§ 5, 6; 1938, 347 § 3; 1941, 448 § 3; 1945, 388 § 3; 1946, 593 § 2.)

SECT. 73A added, 1938, 347 § 2; amended, 1941, 448 § 2; repealed, 1945, 388 § 2. (See 1938, 347 § 3; 1941, 448 § 3.)

SECT. 76 revised, 1935, 182 § 3; first sentence stricken out and two new sentences added, 1939, 258 § 1; second and third sentences revised, 1939, 165 § 2. (See 1935, 182 §§ 5, 6; 1939, 165 § 3, 258 § 2.)

SECT. 76A added, 1945, 179 § 1 (providing for the appointment of an assistant messenger of the superior court in Suffolk county).

SECT. 77 revised, 1951, 120; amended, 1954, 172 § 2; revised, 1957, 228 § 4.

SECT. 80 amended, 1935, 182 § 4; 1954, 172 § 3; revised, 1957, 228 § 5. (See 1935, 182 § 6.)

SECT. 88 amended, 1947, 179; 1957, 85; revised, 1958, 56.

SECT. 90A, last sentence revised, 1951, 82.

SECT. 91 revised, 1947, 469 § 2. (See 1947, 469 §§ 4, 5.)

SECT. 91A added, 1947, 469 § 3 (relative to establishing salaries of official stenographers and compensation of additional stenographers and temporary stenographers of the superior court in the county of Suffolk). (See 1947, 469 §§ 4, 5.)

SECT. 93 amended, 1945, 515; revised, 1951, 559; 1955, 733 § 6.

SECT. 94, first sentence amended, 1932, 180 § 39; section revised, 1946, 262 § 2; amended, 1947, 290 § 2; revised, 1948, 183 § 2; fourth sentence revised, 1949, 221; section revised, 1949, 774 § 2. (See 1946, 262 §§ 4, 5; 1949, 774 § 5.)

SECT. 94A added, 1946, 262 § 3 (relative to the salaries of the clerk and assistant clerks of the superior court for civil business in the county of Suffolk); repealed, 1949, 774 § 4. (See 1946, 262 §§ 4, 5; 1949, 774 § 5.)

Chapter 222. — Justices of the Peace, Notaries Public and Commissioners.

SECT. 8 amended, 1947, 256 § 1.

SECT. 8A added, 1952, 184 § 1 (relative to printing or typing names of persons whose signatures appear on certain instruments filed in probate courts). (See 1952, 184 § 4.)

SECT. 11 added, 1953, 191 (relative to the acknowledgment of written instruments by persons serving in or with the armed forces of the United States.)

Chapter 223. — Commencement of Actions, Service of Process.

SECT. 2 revised, 1934, 387 § 2; last sentence of first paragraph revised, 1943, 296 § 2; 1954, 616 § 2; amended, 1955, 158; 1958, 369 § 1A. (See 1934, 387 § 5; 1943, 296 § 6, 437; 1954, 616 § 5; 1958, 369 § 4.)

SECT. 2A added, 1935, 483 § 1 (providing for trial together of two or more actions arising out of the same motor vehicle accident pending in district courts). (See 1935, 483 §§ 2, 3.) Section stricken out and new sections 2A–2C inserted, 1943, 369 § 1 (relative to the trial and disposition of certain actions and proceedings pending in different courts). (See 1943, 369 § 2.)

SECT. 2A revised, 1952, 460.

SECT. 2B amended, 1945, 373 § 1. (See 1945, 373 § 2.)

SECT. 8A added, 1947, 488 § 6 (relative to transitory actions by or against subscribers to a reciprocal or inter-insurance exchange).

SECT. 19A added, 1947, 488 § 7 (providing that actions by or against subscribers to a reciprocal or inter-insurance exchange shall be brought in the name under which the contracts are issued).

SECT. 24 amended, 1938, 115 § 2; sentence inserted after second sentence, 1957, 312 § 1.

SECT. 25, sentence inserted after first sentence, 1957, 312 § 2.

SECT. 37, last sentence stricken out and new paragraph added at end, 1945, 306 § 1; fourth sentence of last paragraph amended, 1948, 308; revised, 1955, 611 § 7. (See 1945, 306 § 2.)

SECT. 38 amended, 1939, 451 § 61.

SECT. 39B added, 1947, 488 § 8 (providing that, in actions against subscribers of a domestic reciprocal or inter-insurance exchange, service may be made upon the attorney in fact if a domestic exchange).

SECT. 42 amended, 1937, 295 § 1.

SECT. 42A added, 1943, 234 § 1 (relative to the amount for which attachments may be made on liquidated claims). (See 1943, 234 § 3.)

SECT. 44A added, 1937, 295 § 2 (further regulating the attachment of motor vehicles on mesne process in actions of contract).

SECT. 45A, sentence added at end, 1954, 181.

SECT. 48 revised, 1937, 308; amended, 1938, 348 § 1; sentence inserted after first sentence, 1959, 229. (See 1938, 348 § 2.)

SECT. 50 amended, 1957, 765 § 8. (See 1957, 765 §§ 18, 21.)

SECT. 51 revised, 1948, 550 § 43.

SECT. 62, sentence added at end, 1947, 105.

SECT. 65 revised, 1953, 338 § 1. (See 1953, 338 § 5.)

SECT. 74 revised, 1943, 298 § 1. (See 1943, 298 § 10.)

SECT. 75 revised, 1943, 298 § 2; 1959, 580 § 19. (See 1943, 298 § 10.)

SECT. 76 revised, 1943, 298 § 3. (See 1943, 298 § 10.)

SECT. 78 revised, 1943, 298 § 4. (See 1943, 298 § 10.)

SECT. 79 revised, 1943, 298 § 5. (See 1943, 298 § 10.)

SECT. 80 revised, 1943, 298 § 6. (See 1943, 298 § 10.)

SECT. 81 revised, 1943, 298 § 7. (See 1943, 298 § 10.)

SECT. 82 revised, 1943, 298 § 8. (See 1943, 298 § 10.)

SECT. 83A added, 1943, 298 § 9 (providing that sections 74-83 shall not apply to conditional sales, notices of which are recordable under G. L. 184 § 13); revised, 1957, 765 § 9. (See 1943, 298 § 10; 1957, 765 §§ 18, 21.)

SECT. 114 amended, 1938, 325 § 1; revised, 1943, 234 § 2. (See 1938, 325 § 2; 1943, 234 § 3.)

SECT. 114A added, 1945, 339 § 1 (relative to the dissolution of certain real estate attachments by operation of law); last sentence revised, 1953, 338 § 2. (See 1945, 339 § 2; 1952, 246; 1953, 338 § 5.)

SECT. 132 revised, 1953, 338 § 3. (See 1953, 338 § 5.)

Chapter 224. — Arrest on Mesne Process and Supplementary Proceedings in Civil Actions.

SECT. 12 amended, 1945, 101 § 1.

SECT. 16 amended, 1943, 292 § 1. (See 1943, 292 § 2.)

SECT. 18, paragraph inserted after first paragraph, 1946, 177.

Chapter 226. — Bail.

SECT. 23 amended, 1945, 101 § 2.

Chapter 227. — Proceedings against Absent Defendants and upon Insufficient Service.

SECT. 1 amended, 1949, 612 § 1.

SECT. 5, last sentence stricken out and two sentences inserted, 1955, 360; same sentences revised, 1958, 444.

SECT. 5A added, 1949, 612 § 2 (relative to the service of process on certain non-residents doing business in the commonwealth).

Chapter 228. — Survival of Actions and Death and Disabilities of Parties.

SECT. 1 revised, 1934, 300 § 1. (See 1934, 300 § 2.)

SECT. 5 amended, 1933, 221 § 7; revised, 1937, 406 § 1; amended, 1950, 391. Affected, 1938, 16. (See 1933, 221 § 8.)

Chapter 229. — Actions for Death and Injuries Resulting in Death.

SECT. 1 revised, 1943, 444 § 1.

SECT. 2 amended, 1941, 460 § 1, 504 § 1.

SECT. 3, first sentence revised, 1941, 460 § 2; section amended, 1941, 504 § 2.

SECT. 5 amended, 1937, 406 § 3; 1941, 504 § 3.

SECTS. 1-5 stricken out and sections 1 and 2 inserted, 1946, 614 § 1. (See 1946, 614 § 7.)

SECT. 1 amended, 1947, 506 § 1; revised, 1949, 427 § 1. (See 1947, 506 §§ 3, 3A; 1949, 427 § 11.)

SECT. 2 revised, 1947, 506 § 1A; 1949, 427 § 2; 1958, 238 § 1. (See 1947, 506 §§ 3, 3A; 1949, 427 § 11; 1958, 238 § 10.)

SECTS. 2A-2C added, 1949, 427 § 3 (relative to actions against certain corporations and others for death and injuries resulting in death). (See 1949, 427 § 11.)

SECT. 2A repealed, 1958, 238 § 2. (See 1958, 238 § 10.)

SECT. 2C amended, 1951, 250; repealed, 1958, 238 § 3. (See 1958, 238 § 10.)

SECT. 5A added, 1938, 278 § 1 (to permit recovery in certain death cases notwithstanding that the death of the tortfeasor occurred before that of the person whose death he caused); amended, 1946, 614 § 2; revised, 1949, 427 § 4; 1958, 238 § 4. (See 1938, 278 § 2; 1946, 614 § 7; 1949, 427 § 11; 1958, 238 § 10.)

SECT. 6 amended, 1939, 451 § 62; revised, 1946, 614 § 3; 1947, 506 § 2; 1949, 427 § 5; 1958, 238 § 5. (See 1946, 614 § 7; 1947, 506 §§ 3, 3A; 1949, 427 § 11; 1958, 238 § 10.)

SECTS. 6A and 6B added, 1943, 444 § 2 (relative to the disposition of money recovered in certain actions for death).

SECT. 6A revised, 1946, 614 § 4; 1949, 427 § 6; 1958, 238 § 6. (See 1946, 614 § 7; 1949, 427 § 11; 1958, 238 § 10.)

SECT. 6B amended, 1946, 614 § 5; revised, 1949, 427 § 6; 1958, 238 § 6. (See 1946, 614 § 7; 1949, 427 § 11; 1958, 238 § 10.)

SECTS. 6C-6F added, 1949, 427 § 7 (relative to actions against certain employers for death and injuries resulting in death). (See 1949, 427 § 11.)

SECT. 6E, second paragraph revised, 1958, 238 § 7. (See 1958, 238 § 10.)

SECT. 6F revised, 1958, 238 § 8. (See 1958, 238 § 10.)

SECTS. 7 and 8 repealed, 1946, 614 § 6. (See 1946, 614 § 7.)

SECT. 9 amended, 1941, 504 § 4; repealed, 1946, 614 § 6. (See 1946, 614 § 7.)

SECT. 10 repealed, 1946, 614 § 6. (See 1946, 614 § 7.)

Chapter 230. — Actions By and Against Executors and Administrators.

SECT. 5 amended, 1934, 116.

Chapter 231. — Pleading and Practice.

SECT. 1A added, 1951, 403 (relative to the commencement of actions arising out of tort and contract).

SECT. 4A added, 1943, 350 § 1 (providing for the joinder of parties in one action in certain cases); sentence inserted after first sentence, 1947, 408 § 1. (See 1943, 350 §§ 3, 4; 1947, 408 § 2.)

SECT. 5 amended, 1945, 141 § 2.

SECT. 6A added, 1939, 372 § 1 (relative to the recovery of certain medical expenses by the husband of a married woman or the parent or guardian of a minor, in actions to recover for personal injuries by married women and minors). (See 1939, 372 § 2.)

SECT. 6B added, 1946, 212 § 1 (providing for interest from the date of the writ in certain civil actions); amended, 1951, 244. (See 1946, 212 § 3.)

SECT. 7, clause Sixth revised, 1939, 67 § 1. (See 1939, 67 § 2.)

SECT. 30 amended, 1949, 179.

SECT. 55 amended, 1935, 318 § 6. (See 1935, 318 § 8.)

SECT. 59, sentence inserted after fourth sentence, 1955, 359; section and caption preceding it stricken out and new section under new caption inserted, 1955, 674 § 1.

SECT. 59A stricken out and new section under new caption inserted, 1955, 674 § 2.

SECT. 59C added, under caption, 1935, 118 § 1 (relative to the advancement for speedy trial in the superior court of actions against physicians and others for malpractice, error or mistake). (See 1935, 118 § 2.)

SECT. 59D added, 1952, 139 (providing speedy trials of certain actions under election laws).

SECT. 62, sentence added at end, 1958, 270.

SECT. 63 amended, 1932, 84 § 1.

SECT. 69 amended, 1932, 177 § 1; revised, 1946, 450. (See 1932, 177 § 2.)

SECT. 72 amended, 1958, 50.

SECT. 73 repealed, 1932, 180 § 40.

SECT. 78 repealed, 1932, 180 § 40.

SECT. 84A added, 1933, 247 § 1 (relative to the joint trial in the superior court of actions involving the same subject matter). (See 1933, 247 § 2.)

SECT. 85 revised, 1947, 386 § 1; 1952, 533 § 1. (See 1947, 386 § 2; 1952, 533 § 2.)

SECTS. 85B and 85C added, 1937, 439 § 1 (relative to procedure in certain actions to recover damages arising out of motor vehicle accidents and in suits by judgment creditors in actions to reach and apply the proceeds of motor vehicle liability policies and in actions to recover on motor vehicle liability bonds). (See 1937, 439 § 2.)

SECT. 85D added, 1945, 352 § 1 (providing that negligence of parent or custodian shall not be imputed to an infant because of such parenthood or custodianship). (See 1945, 352 §§ 3, 4.)

SECT. 85E added, 1959, 300 (relative to subrogated automobile property damage claims).

SECT. 91 revised, 1943, 365 § 1. (See 1943, 365 § 2.)

SECT. 91A added, 1957, 378 (exempting radio and television stations from liability for damages on account of the utterance of defamatory

matter by persons over whom such stations have no right of censorship or control).

SECT. 93 revised, 1943, 360.

SECT. 94 amended, 1943, 361.

SECT. 94A added, 1953, 169 (relative to defenses in actions for false arrest or imprisonment).

SECT. 94B added, 1958, 337 (relative to defenses in actions for false arrest brought by persons suspected of shoplifting).

SECT. 96A added, 1945, 530 § 1 (relative to the filing of bills of exceptions in suits in equity); repealed, 1947, 361. (See 1945, 530 § 2; 1946, 94, 610 § 2; 1947, 97 § 2.)

SECT. 102A added, 1934, 387 § 3 (relative to the removal to the superior court of an action of tort arising out of the operation of a motor vehicle); amended, 1937, 133 § 1; revised, 1938, 338 § 1; first paragraph amended, 1941, 203 § 1; second paragraph amended, 1941, 203 § 2; section repealed, 1943, 296 § 3. (See 1934, 387 § 5; 1937, 133 § 2; 1938, 338 § 2; 1941, 203 § 3; 1943, 296 § 6.)

SECT. 102B added, 1954, 616 § 3 (relative to the removal to the superior court of an action of tort arising out of the operation of a motor vehicle); repealed, 1958, 369 § 2. (See 1954, 616 § 5; 1958, 369 § 4.)

SECT. 102C added, 1958, 369 § 3 (authorizing the transfer of certain actions at law from the superior court to a district court). (See 1958, 369 § 4.)

SECT. 104 amended, 1950, 500 § 2; revised, 1956, 302 § 1.

SECT. 105 repealed, 1956, 302 § 2.

SECT. 107 revised, 1943, 296 § 4. (See 1943, 296 § 6.)

SECT. 108, first paragraph, sentence inserted after fifth sentence, 1958, 300; second paragraph revised, 1939, 382; amended, 1948, 322; revised, 1949, 683; second sentence of third paragraph revised, 1933, 255 § 1. (See 1933, 255 § 2.)

SECT. 113, two sentences added at end, 1945, 328.

SECT. 115 amended, 1939, 451 § 63.

SECT. 125A added, 1949, 171 § 1 (relative to the further report of material facts in equity and probate appeals when evidence is not reported).

SECT. 127, sentence added at end, 1945, 578 § 1. (See 1945, 578 § 3.)

SECT. 128 amended, 1945, 578 § 2. (See 1945, 578 § 3.)

SECT. 133 amended, 1933, 300 § 2. (See 1933, 300 § 4.)

SECT. 135, two paragraphs inserted after first paragraph, 1941, 187 § 1; last paragraph amended, 1959, 109. (See 1941, 187 § 2.)

SECT. 140A added, 1932, 130 § 1 (relative to the effect of a settlement by agreement of an action of tort growing out of a motor vehicle accident upon the right of a defendant in such action to maintain a cross action); revised, 1947, 431 § 1. (See 1947, 431 § 2.)

SECT. 141 amended, 1932, 130 § 2; 1933, 300 § 3; 1934, 387 § 4; 1943, 296 § 5, 350 § 2; 1945, 352 § 2; 1946, 212 § 2; 1954, 616 § 4; 1958, 369 § 3A; 1956, 302 § 3. (See 1933, 300 § 4; 1934, 387 § 5; 1943, 296 § 6, 350 §§ 3, 4; 1946, 212 § 3; 1954, 616 § 5; 1958, 369 § 4.)

SECT. 142 amended, 1935, 318 § 7. (See 1935, 318 § 8.)

SECT. 145 amended, 1939, 451 § 64; 1953, 104.

SECT. 147, first paragraph revised, 1956, 313; Form 8 repealed, 1938, 350 § 2.

Chapter 231A. — Procedure for Declaratory Judgments.

New chapter inserted, 1945, 582 § 1. (See 1945, 582 § 5.)

Chapter 233. — Witnesses and Evidence.

SECT. 1 revised, 1945, 250 § 2.

SECT. 3A added, 1933, 262 (authorizing the commissioner of banks to respond to summonses or subpoenas by an employee or other assistant in his department).

SECT. 8 amended, 1933, 269 § 3, 376 § 3; 1949, 292.

SECTS. 13A–13D added, 1937, 210 § 1 (making uniform the law securing the attendance of witnesses from without a state in criminal proceedings). (See 1937, 210 § 2.)

SECT. 20, second paragraph revised, 1951, 657 § 3.

SECT. 21, paragraph Second revised, 1950, 426.

SECT. 21A added, 1947, 410 § 1 (making admissible evidence relating to the reputation of a person in a group with whom he habitually associates). (See 1947, 410 § 2.)

SECT. 22 amended, 1932, 97 § 1.

SECT. 23A added, 1945, 424 § 1 (relative to the admissibility in evidence of written statements obtained from persons sustaining personal injuries in accidents); amended, 1953, 242. (See 1945, 424 § 2.)

SECT. 23B added, 1958, 256 (relative to the admissibility in evidence against a defendant in a criminal trial of statements made by him while undergoing a psychiatric examination).

SECT. 26 amended, 1932, 71 § 1.

SECT. 29 amended, 1932, 71 § 2.

SECT. 30 amended, 1932, 71 § 3.

SECT. 32 amended, 1932, 71 § 4.

SECT. 33 amended, 1932, 71 § 5.

SECT. 34 amended, 1932, 71 § 6.

SECT. 45 amended, 1932, 71 § 7.

SECT. 46 amended, 1932, 71 § 8.

SECT. 47 amended, 1932, 71 § 9.

SECT. 48 amended, 1932, 71 § 10.

SECT. 49 amended, 1932, 71 § 11.

SECT. 65 amended, 1941, 363 § 1; 1943, 105 § 1; revised, 1943, 232 § 1. (See 1941, 363 § 2; 1943, 105 § 2, 232 § 2.)

SECT. 75, sentence added at end, 1943, 190 § 1. (See 1943, 190 § 2.)

SECT. 76A added, 1938, 213 § 1 (relative to the use of authenticated copies of certain papers and documents filed with the federal securities and exchange commission). (See 1938, 213 § 2.)

SECT. 76B added, 1954, 292 (relative to the use of printed copies of schedules on file with the interstate commerce commission as evidence).

SECT. 77 amended, 1957, 205.

SECT. 78 revised, 1954, 442 § 1. (See 1954, 442 § 2.)

SECT. 79 revised, 1941, 389 § 2; amended, 1943, 233 § 1; 1946, 473 § 1; 1948, 74; paragraph added at end, 1957, 206 § 1; section revised, 1959, 200. (See 1943, 233 § 2; 1946, 473 § 2; 1957, 206 § 2.)

SECT. 79A added, 1941, 662 § 2 (relative to the use in evidence of photographic and microphotographic records and copies); amended, 1948, 154.

SECT. 79B added, 1947, 385 § 1 (making admissible in evidence in civil cases certain publicly issued compilations of facts and statistics). (See 1947, 385 § 2.)

SECT. 79C added, 1949, 183 § 1 (making admissible in evidence in cases of contract or tort for malpractice certain statements of recognized experts contained in certain publications). (See 1949, 183 § 2.)

SECT. 79D added, 1949, 240 (making admissible in evidence certain copies of newspapers and documents made by the photographic or microphotographic process).

SECT. 79E added, 1952, 120 (relative to the admissibility in evidence of business and public records); amended, 1955, 125.

SECT. 79F added, 1952, 476 (relating to proof of the existence of a public way).

SECT. 79G added, 1958, 323 (making certain bills for services of physicians, dentists and certain hospitals admissible in evidence in actions of tort for personal injuries).

Chapter 234. — Juries.

SECT. 1 amended, 1935, 257 § 11; 1936, 25; revised, 1949, 347 § 1. (See 1935, 257 § 12; 1949, 347 § 5.)

SECT. 1A added, 1949, 347 § 2 (relative to excusing certain persons from jury service). (See 1949, 347 § 5.)

SECT. 4, first paragraph revised, 1949, 347 § 3; last sentence stricken out and two sentences inserted, 1955, 38 § 1. (See 1949, 347 § 5.)

SECT. 5 amended, 1955, 38 § 2.

SECT. 11 amended, 1934, 150.

SECT. 15 repealed, 1936, 161 § 1. (See 1936, 161 § 3.)

SECT. 24 amended, 1941, 90; sentence added at end, 1956, 278.

SECTS. 25 and 26 stricken out, and sections 25, 26, 26A, 26B inserted, 1945, 428 § 1 (providing for emergency jurors and for the waiver of a full jury). (See 1945, 428 § 3.)

SECT. 25, first sentence amended, 1955, 38 § 3; third sentence amended, 1949, 347 § 4. (See 1949, 347 § 5.)

SECT. 29 revised, 1945, 428 § 2; 1955, 485 § 1; amended, 1957, 335. (See 1945, 428 § 3; 1955, 485 § 2.)

Chapter 235. — Judgment and Execution.

SECT. 17, paragraph added at end, 1948, 113.

SECT. 34, clause Second amended, 1951, 35.

Chapter 236. — Levy of Executions on Land.

SECT. 5 revised, 1953, 338 § 4. (See 1953, 338 § 5.)

SECT. 18 revised, 1939, 32 § 4. (See 1939, 32 § 5.)

SECT. 49A added, 1953, 455 § 1 (relative to the dissolution of certain levies on execution on real estate by operation of law). (See 1953, 455 § 2.)

Chapter 239. — Summary Process for Possession of Land.

SECT. 1 amended, 1941, 242 § 1; first sentence amended, 1952, 151 § 1; 1953, 106.

SECT. 5 revised, 1946, 175 § 1. (See 1946, 175 § 2.)

SECT. 6, two sentences added at end, 1952, 151 § 2.

SECT. 6A added, 1941, 242 § 2 (relative to conditions of bonds in actions of summary process for recovery of possession of land after tax title foreclosures).

SECTS. 9-13 affected, 1941, 700; 1946, 43; 1947, 78; 1948, 2; 1949, 87; 1950, 33, 301; 1951, 30; 1952, 25; 1954, 264; 1955, 226; 1956, 50; 1957, 51; 1958, 88.

SECT. 9 amended, 1953, 485.

Chapter 240. — Proceedings for Settlement of Title to Land.

SECT. 14A added, 1934, 263 § 2 (providing for determination by the land court by declaratory judgment as to the validity and extent of municipal zoning ordinances, by-laws and regulations).

Chapter 241. — Partition of Land.

SECT. 34 revised, 1950, 64 § 2; 1954, 312 § 2.

Chapter 244. — Foreclosure and Redemption of Mortgages.

For legislation concerning judicial determination of rights to foreclose real estate mortgages in which soldiers or sailors may be interested, see 1941, 25; 1943, 57; 1945, 120.

SECT. 15, sentence added at end, 1946, 204.

SECTS. 17A-17C added, 1945, 604 § 1 (relative to actions for deficiencies on mortgage notes following foreclosures, etc.). (See 1945, 604 § 2.)

Chapter 246. — Trustee Process.

SECT. 1 revised, 1938, 303 § 1; amended, 1943, 17 § 1. (See 1938, 303 § 2; 1943, 17 § 2.)

SECT. 28 revised, 1935, 410 § 1; 1941, 338 § 1; amended, 1947, 264 § 1; 1951, 78; first two sentences revised, 1956, 155; first sentence revised, 1959, 187 § 1. (See 1935, 410 §§ 2, 3; 1941, 338 § 2; 1947, 264 § 2; 1959, 187 § 3.)

SECT. 32, paragraph First revised, 1959, 187 § 2; paragraph Eighth added at end, 1938, 343; revised, 1950, 260, 558; 1954, 467. (See 1959, 187 § 3.)

Chapter 249. — Audita Querela, Certiorari, Mandamus and Quo Warranto.

SECT. 4 amended, 1943, 374 § 1; sentence added at end, 1953, 586 § 1. (See 1939, 257; 1941, 28, 180; 1943, 374 §§ 3, 4; 1953, 586 § 2.)

SECT. 5 amended, 1938, 202; 1943, 374 § 2; 1949, 176. (See 1939, 257; 1941, 28, 180; 1943, 374 § 4.)

Chapter 250. — Writs of Error, Vacating Judgment, Writs of Review.

SECT. 16 amended, 1933, 244 § 1. (See 1933, 244 § 2.)

Chapter 252. — Improvement of Low Land and Swamps.

SECT. 22 revised, 1948, 550 § 44.

SECT. 24 added, under caption, 1948, 391 § 1 (providing for the establishment of greenhead fly control projects); revised, 1954, 388 § 1; 1955, 433. (See 1948, 391 § 2; 1954, 388 § 2.)

Chapter 254. — Liens on Buildings and Land.

SECT. 4. paragraph added at end, 1959, 594 § 2.

SECT. 5 amended, 1954, 461 § 2. (See 1954, 461 §§ 3, 4.)

SECT. 20 revised, 1959, 594 § 1.

SECT. 30 added, 1953, 405 § 1 (providing for the recording of liens for labor and notices of contract by the registers of deeds).

Chapter 255. — Mortgages, Conditional Sales and Pledges of Personal Property, and Liens thereon.

SECT. 1. See 1933, 142 (recording of federal crop loans to farmers). See also 1936, 264 subsection 20 (relative to trust receipt and pledge transactions); repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

SECT. 2 repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

SECT. 3 amended, 1935, 86 § 2; revised, 1948, 550 § 45; 1949, 404 § 4; repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

SECTS. 4-7 repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

SECTS. 7A-7E added, 1935, 86 § 1 (relative to the mortgaging of crops and certain other classes of personal property).

SECTS. 7A-7C repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

SECTS. 7E-10 repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

SECT. 11 revised, 1939, 509 § 1; repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

SECT. 12 revised, 1939, 509 § 1; 1943, 410 § 1; 1956, 158; 1957, 765 § 10; sentence added at end, 1958, 674 § 2; 1959, 580 § 20. (See 1943, 410 § 2; 1957, 765 §§ 18, 21.)

SECT. 12A added, 1950, 81 (providing that notice relative to finance charges be printed in certain contracts of sale); revised, 1957, 765 § 11; sentence added at end, 1959, 580 § 21. (See 1957, 765 §§ 18, 21.)

SECT. 12B added, 1955, 455 (relative to prepayment of contracts of conditional sales of personal property); revised, 1957, 765 § 12; amended, 1958, 674 § 3; revised, 1959, 593. (See 1957, 765 §§ 18, 21.)

SECT. 13 revised, 1939, 509 § 1; amended, 1941, 285; revised, 1957, 765 § 13. (See 1957, 765 §§ 18, 21.)

SECT. 13A added, 1935, 348 § 1 (regulating conditional sales of motor vehicles); revised, 1939, 509 § 1; repealed, 1957, 765 § 2. (See 1935, 348 § 2; 1957, 765 § 21.)

SECT. 13B added, 1935, 396 (relative to certain contracts of conditional sale of household or personal effects); amended, 1957, 765 § 14. (See 1957, 765 §§ 18, 21.)

SECTS. 13C and 13D added, 1937, 315 (relative to contracts of conditional sale of household furniture or other household or personal effects except jewelry).

SECT. 13C revised, 1938, 367.

SECT. 13C and 13D stricken out, and new sections 13C–13G inserted, 1939, 509 § 2.

SECT. 13C revised, 1957, 765 § 15. (See 1957, 765 §§ 18, 21.)

SECTS. 13D–13F repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

SECT. 13G revised, 1957, 160, 765 § 16. (See 1957, 765 §§ 18, 21.)

SECT. 13H added, 1941, 468 (relative to conditional sales of textile and other machinery, seats for theatres and other places of public assembly, and parts, accessories, appliances and equipment therefor); repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

SECT. 15 revised, 1948, 550 § 46.

SECT. 25A added, 1950, 326 § 9 (relative to liens on trailer coaches for certain charges).

SECT. 26 amended, 1950, 326 § 10.

SECT. 27 amended, 1950, 326 § 11.

SECT. 31 revised, 1950, 326 § 12.

SECT. 31D added, 1945, 607 (creating a lien in favor of certain persons performing work upon, or storing articles of clothing or household goods).

SECT. 31E added, 1948, 637 § 12 (creating a lien in favor of certain persons for proper charges due them for landing, parking, etc., of aircraft). (See 1948, 637 §§ 9, 13.)

SECT. 35 amended, 1938, 83 § 1. (See 1938, 83 § 2.)

SECT. 39A added, 1954, 585 (providing for the sale by garage owners of certain motor vehicles placed for storage and not claimed within a certain period).

SECTS. 40–47 added, under caption, 1945, 285 (providing for the creation of liens upon merchandise without the necessity of custody or possession in the lienor).

SECT. 40 amended, 1946, 514 § 1; revised, 1947, 273 § 1.

SECT. 41, first paragraph amended, 1946, 514 § 2; section revised, 1947, 273 § 2.

SECT. 42 revised, 1947, 273 § 3; last sentence revised, 1950, 454 § 1; 1957, 698 § 19.

SECT. 43 revised, 1947, 273 § 4.

SECT. 44 revised, 1947, 273 § 5; amended, 1950, 454 § 2; third sentence revised, 1957, 698 § 20.

SECT. 45 amended, 1947, 273 § 6.

SECTS. 40–47 repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

Chapter 255A. — Trust Receipts and Pledges without Possession in the Pledgee.

New chapter inserted, 1936, 264.

SECT. 13, subsection 3 amended, 1951, 445; 1957, 698 § 21.

Chapter repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

Chapter 255B. — Retail Instalment Sales of Motor Vehicles.

New chapter inserted, 1958, 674 § 1.

Chapter 258. — Claims against the Commonwealth.

SECTS. 1A-1C added, 1956, 709 § 1 (providing for jurisdiction of certain claims against the commonwealth with relation to the General Edward Lawrence Logan Airport). (See 1956, 709 § 2.)

SECT. 3 revised, 1932, 180 § 41; 1951, 518.

SECT. 4A added, 1945, 552 (to prevent the running of interest on claims against the commonwealth after an offer of judgment).

SECT. 5 repealed, 1943, 566 § 2.

Chapter 260. — Limitation of Actions.

SECT. 2 revised, 1948, 274 § 1. (See 1948, 274 § 3.)

SECT. 2A added, 1948, 274 § 2 (further limiting the time within which actions of replevin, and certain actions of contract and tort, may be commenced). (See 1948, 274 § 3.)

SECT. 3A added, 1943, 566 § 1 (limiting the time within which petitions founded upon claims against the commonwealth may be brought).

SECT. 4 amended, 1933, 318 § 5; 1934, 291 § 4; 1937, 385 § 9; first paragraph amended, 1955, 235 § 1; paragraph added at end, 1943, 409 § 4. (See 1933, 318 § 9; 1934, 291 § 6; 1937, 385 § 10; 1955, 235 § 2.)

SECT. 4A added, 1947, 333 § 1 (limiting the time within which certain actions to recover back wages may be commenced). (See 1947, 333 § 2.)

SECT. 4B added, 1949, 531 (relative to the commencement of actions arising out of motor vehicle hit and run accidents, so called); amended, 1954, 107.

SECT. 10, sentence added at end, 1937, 406 § 2.

SECT. 25 amended, 1959, 269 § 1. (See 1959, 269 § 3.)

SECT. 26 amended, 1959, 269 § 2. (See 1959, 269 § 3.)

SECT. 31A added, 1956, 258 § 2 (limiting the time for bringing proceedings to enforce certain possibilities of reverter to which a fee simple or fee simple determinable is subject).

SECTS. 33-35 added, under caption, 1957, 370 (providing for a limitation of mortgage foreclosures and to protect land titles against obsolete mortgages).

Chapter 261. — Costs in Civil Actions.

SECT. 4 amended, 1937, 44 § 1. (See 1937, 44 § 2; 1943, 296 §§ 3, 6.)

SECT. 25A revised, 1957, 497.

Chapter 262. — Fees of Certain Officers.

SECT. 1, paragraph 6 amended, 1948, 295; revised, 1949, 129; amended, 1951, 40.

SECT. 2 revised, 1939, 345 § 1; third paragraph amended, 1950, 119 § 1; section revised, 1954, 328 § 2; paragraph inserted after third paragraph, 1954, 556 § 5. (See 1939, 345 § 3; 1954, 328 § 4, 556 §§ 8, 10.)

SECT. 4 amended, 1954, 328 § 3; sixth paragraph revised, 1950, 119 § 2; 1953, 632; amended, 1954, 582; seventh paragraph amended, 1937, 188; seventh to tenth paragraphs stricken out, 1939, 345 § 2; paragraph in lines 30-31 revised, 1954, 624. (See 1939, 345 § 3; 1954, 328 § 4.)

SECT. 5 amended, 1933, 201.

SECT. 8 revised, 1947, 135; paragraph added at end, 1954, 556 § 6.

SECT. 21 amended, 1959, 581.

SECT. 23 amended, 1953, 96.

SECT. 24 amended, 1953, 89; 1955, 244; revised, 1959, 307.

SECT. 25 amended, 1933, 162; 1934, 141; 1945, 236 § 1; 1949, 335; 1955, 328. (See 1945, 236 § 2.)

SECT. 29 amended, 1949, 697.

SECT. 32 revised, 1935, 280.

SECT. 34 amended, 1933, 21; revised, 1948, 550 § 1; clauses (5)-(10), (26), (37)-(41), (70), (71), (73) and (77) stricken out, 1949, 297 § 1; clause (13) revised, 1957, 17 § 1; clauses (17)-(19) stricken out, 1949, 404 § 3; clause (21) revised, 1952, 32 § 2; clause (30) revised, 1957, 17 § 2; clause (44) revised, 1957, 17 § 3; clauses (47) and (48) revised, 1949, 404 § 1; clauses (47)-(53) repealed, 1957, 765 § 2 (see 1957, 765 § 21); clause (56) amended, 1951, 58; repealed, 1957, 765 § 2 (see 1957, 765 § 21); clause (69) revised, 1953, 164 § 3; clause (79) revised, 1949, 404 § 2.

SECT. 34A added, 1938, 380 (authorizing the charging of certain fees by city and town clerks or registrars for the expense of the examination or copying by them of records of births, marriages and deaths); revised, 1948, 550 § 47.

SECT. 36 revised, 1952, 301; amended, 1959, 357.

SECT. 38, second paragraph amended, 1937, 97; two paragraphs inserted after paragraph in line 23, 1945, 569 § 2; section revised, 1946, 353 § 1; second paragraph amended, 1951, 179; paragraph inserted after third paragraph, 1950, 539 § 2; section revised, 1953, 348 § 1; 1957, 332 § 1.

SECT. 39, paragraph in lines 15, 16 amended, 1945, 522; paragraph added at end, 1939, 13; section revised, 1946, 353 § 2; 1950, 589; 1953, 348 § 2; sixth paragraph amended, 1956, 568 § 1; eighth paragraph amended, 1956, 568 § 2; last paragraph amended, 1957, 332 § 2.

SECT. 40 revised, 1934, 324 § 1; paragraph inserted after second paragraph, 1951, 657 § 4; stricken out, 1954, 556 § 4; two paragraphs added at end, 1954, 562 § 6; section revised, 1955, 418 § 1; paragraph inserted after fourth paragraph, 1956, 7 § 2; eighth paragraph revised, 1955, 744 § 1; 1956, 632 § 1; 1958, 500; eleventh paragraph stricken out, 1956, 632 § 2. (See 1934, 324 § 2; 1954, 556 § 10; 1955, 418 § 3, 744 § 2.)

SECT. 44 revised, 1953, 308.

SECT. 46A added, 1938, 232 (to provide for furnishing without charge copies of records relating to soldiers, sailors and marines in certain cases); revised, 1943, 484; 1945, 218; 1954, 627 § 34. (See 1954, 627 §§ 65, 67.)

SECT. 47 amended, 1958, 48 § 3.

SECT. 50 amended, 1958, 48 § 4.

SECT. 51 revised, 1951, 605; amended, 1958, 48 § 5.

SECT. 53 amended, 1936, 251; fourth sentence revised, 1947, 181; amended, 1948, 340.

SECT. 53 stricken out and new sections 53 and 53A inserted, 1949, 455 (relative to the payment of witness fees to certain police officers in criminal cases).

SECT. 53 revised, 1952, 364; amended, 1958, 48 § 6; revised, 1958, 422.

SECT. 53A amended, 1958, 48 § 7.

SECT. 53B added, 1952, 235 (providing for payment of witness fees to state police officers); revised, 1954, 393; 1957, 605; 1959, 567.

SECT. 53C added, 1955, 223 § 1 (granting compensatory time off to certain police officers in certain criminal cases). (See 1955, 223 § 2.)

SECT. 56 amended, 1958, 48 § 8.

SECT. 57 amended, 1958, 48 § 9.

SECT. 58 amended, 1958, 48 § 10.

SECT. 59 amended, 1958, 48 § 11.

SECT. 62 amended, 1958, 48 § 12.

Chapter 263. — Rights of Persons Accused of Crime.

SECT. 4 amended, 1953, 319 § 28. (See 1953, 319 §§ 39, 40.)

SECT. 4A added, 1934, 358 (expediting the arraignment of persons charged with crimes not punishable by death by permitting them to waive indictment proceedings).

SECT. 5A added, 1958, 401 (providing that a person held in custody, charged with operating a motor vehicle while under the influence of intoxicating liquor, shall have the right to an immediate medical examination).

SECT. 6 amended, 1933, 246 § 1. (See 1933, 246 § 2.)

SECT. 8A amended, 1953, 319 § 29. (See 1953, 319 §§ 39, 40.)

Chapter 264. — Crimes against Governments.

SECT. 5 revised, 1932, 298; amended, 1933, 153 § 3; 1934, 56; revised, 1941, 117 § 1; third sentence revised, 1959, 59 § 4. (See 1941, 117 § 2.)

SECT. 10A revised, 1933, 276.

SECT. 11 revised, 1948, 160 § 1; 1954, 584 § 1.

SECT. 12 repealed, 1954, 584 § 2.

SECTS. 13-15 added, 1949, 619 (barring certain persons from the public service and requiring an oath of allegiance by certain public employees).

SECT. 13 repealed, 1951, 805 § 1. (See 1951, 805 §§ 6, 7.)

SECT. 14A added, 1954, 677 (enabling cities and towns to participate in the United States educational exchange program).

SECT. 15 amended, 1951, 805 § 2. (See 1951, 805 §§ 6, 7.)

SECTS. 16-23 added, 1951, 805 § 3 (relative to subversive organizations).

SECT. 18 amended, 1952, 380.

SECT. 19 revised, 1954, 584 § 4.

SECT. 21 revised, 1954, 584 § 3.

SECT. 23 revised, 1954, 584 § 5.

Chapter 265. — Crimes against the Person.

SECT. 2 revised, 1951, 203; last sentence revised, 1955, 770 § 78; 1956, 731 § 12. (See 1955, 770 §§ 117, 123.)

SECT. 13A added, 1943, 259 § 1 (providing a penalty for the crimes of assault and assault and battery); paragraph added at end, 1945, 230. (See 1943, 259 § 2.)

SECT. 13B added, 1953, 299 (providing a separate penalty for indecent assault on a child); amended, 1958, 189.

SECT. 15B added, 1955, 112 (providing a penalty for assault by means of a dangerous weapon).

SECT. 17 revised, 1943, 250 § 1; 1952, 406 § 1. (See 1943, 250 § 2; 1952, 406 § 2.)

SECT. 18A added, 1956, 408 (increasing the penalty for certain armed assaults in dwelling houses).

SECT. 22A added, 1955, 763 § 2 (providing a mandatory prison sentence for persons convicted of rape).

SECT. 24B added, 1955, 763 § 3 (providing a mandatory prison sentence for persons convicted of assault with intent to commit rape).

SECT. 25 revised, 1932, 211; 1953, 294.

SECT. 26 amended, 1934, 1.

SECT. 34 added, 1957, 76 (prohibiting the marking of the body of a person under eighteen years of age by means of tattooing).

Chapter 266. — Crimes against Property.

SECT. 1 revised, 1932, 192 § 1; amended, 1948, 43 § 1.

SECT. 2 revised, 1932, 192 § 2; amended, 1948, 43 § 2.

SECTS. 3 and 4 repealed, 1932, 192 § 3.

SECT. 5 revised, 1932, 192 § 4.

SECT. 5A added, 1932, 192 § 5 (defining and providing penalties for attempts to commit arson).

SECT. 6 repealed, 1932, 192 § 3.

SECT. 7 revised, 1958, 526 § 1.

SECT. 8 revised, 1932, 192 § 6; 1948, 370 § 1; 1958, 526 § 2.

SECT. 10 revised, 1932, 192 § 7.

SECT. 16 revised, 1943, 343 § 1. (See 1943, 343 § 2.)

SECT. 16A added, 1945, 229 (providing a penalty for breaking and entering a building, ship or vessel with intent to commit a misdemeanor).

SECT. 22 amended, 1935, 365; revised, 1950, 30.

SECT. 25 amended, 1943, 518 § 1. (See 1943, 518 § 2.)

SECT. 26 repealed, 1945, 282 § 1. (See 1945, 282 § 5.)

SECT. 27A revised, 1959, 160 § 1.

SECT. 28 revised, 1959, 160 § 2.

SECT. 30 revised, 1945, 282 § 2. (See 1945, 282 § 5.)

SECT. 33 revised, 1945, 282 § 3. (See 1945, 282 § 5.)

SECT. 36 repealed, 1945, 282 § 1. (See 1945, 282 § 5.)

SECT. 37 revised, 1937, 99; amended, 1955, 133.

SECTS. 44-46 repealed, 1945, 282 § 1. (See 1945, 282 § 5.)

SECT. 47 amended, 1945, 282 § 4. (See 1945, 282 § 5.)

SECT. 52 amended, 1934, 270 § 3.

SECT. 53A revised, 1956, 297.

SECT. 54 revised, 1958, 58. (See 1933, 59 § 3.)

SECT. 70 amended, 1933, 245 § 4; 1939, 144 § 2; 1941, 217 § 3; 1946, 209 § 3, 409 § 4; revised, 1947, 468 § 4; amended, 1948, 445 § 2; 1949,

118 § 4; revised, 1950, 27 § 3; amended, 1950, 240, 354 § 3, 492 § 3; 1955, 271 § 2; revised, 1957, 117; amended, 1959, 59 § 5.

SECT. 71A added, 1950, 718 (prohibiting the unauthorized use of names or imitations thereof of certain organizations).

SECTS. 75A and 75B added, 1932, 11 (penalizing the fraudulent operation of slot machines, coin-box telephones and other coin receptacles, and the manufacture and sale of devices intended to be used in such operation); revised, 1954, 145.

SECT. 89 revised, 1943, 549 § 7.

SECT. 91 amended, 1958, 217 § 1.

SECT. 91A added, 1953, 250 (further regulating advertising relative to the sale or offering for sale of merchandise, commodities or service); amended, 1958, 217 § 2.

SECT. 91B added, 1958, 217 § 3 (providing for the issuance of an injunction for violation of the laws relative to deceptive advertising of merchandise for sale).

SECT. 92A added, 1956, 216 (relative to the sale of motor vehicles which have been submerged in water); amended, 1957, 261; revised, 1959, 235.

SECT. 94 amended, 1939, 451 § 65.

SECT. 101 amended, 1957, 688 § 21.

SECT. 102 revised, 1957, 688 § 22.

SECT. 116A added, 1935, 116 (providing for the protection of wild azaleas, wild orchids and cardinal flowers).

SECT. 119 revised, 1948, 660 § 25; amended, 1949, 761 § 14. (See 1948, 660 § 26.)

SECT. 120A added, 1955, 269 (relative to the burden of proof in certain prosecutions for trespass).

SECT. 123 revised, 1941, 344 § 27; amended, 1958, 613 § 8E; revised, 1959, 213.

SECT. 129 revised, 1955, 770 § 79. (See 1955, 770 §§ 117, 123.)

SECT. 130 revised, 1955, 770 § 80. (See 1955, 770 §§ 117, 123.)

Chapter 268. — Crimes against Public Justice.

SECT. 1A amended, 1947, 106.

SECT. 13A added, 1950, 109 (prohibiting the picketing of courts and certain other places).

SECT. 14A added, 1936, 168 (imposing a penalty for depriving employees of their employment because of jury service).

SECT. 15 amended, 1955, 770 § 81. (See 1955, 770 §§ 117, 123.)

SECT. 16 revised, 1934, 344; last sentence stricken out, 1941, 344 § 28; section amended, 1943, 19 § 1; 1955, 770 § 82. (See 1955, 770 §§ 117, 123.)

SECT. 16A added, 1943, 19 § 2 (relative to the penalty for escapes or attempted escapes from the reformatory for women); amended, 1955, 770 § 83. (See 1955, 770 §§ 90, 117, 123.)

SECT. 26 amended, 1934, 328 § 24; 1955, 770 § 84; revised, 1957, 777 § 33. (See 1955, 770 §§ 117, 123.)

SECT. 27 amended, 1934, 328 § 25.

SECT. 28 amended, 1955, 770 § 85; revised, 1957, 777 § 34. (See 1955, 770 §§ 117, 123.)

SECT. 29 amended, 1934, 328 § 26; 1955, 770 § 86. (See 1955, 770 §§ 117, 123.)

SECT. 30 amended, 1955, 770 § 87. (See 1955, 770 §§ 117, 123.)

SECT. 31 amended, 1955, 770 § 88; revised, 1957, 777 § 35. (See 1955, 770 §§ 117, 123.)

SECT. 33 amended, 1935, 440 § 44; 1941, 71; 1945, 400 § 7.

SECT. 37 amended, 1955, 770 § 89. (See 1955, 770 §§ 117, 123.)

Chapter 269. — Crimes against Public Peace.

SECT. 10 amended, 1935, 290; 1936, 227 § 1; 1937, 250 § 1; first sentence amended, 1955, 160; section revised, 1956, 172; 1957, 688 § 23. (See 1936, 227 § 2; 1937, 250 § 2.)

SECT. 10A amended, 1957, 688 § 24.

SECT. 10B added, 1934, 359 § 2 (further regulating the sale, rental and leasing of rifles and shotguns); repealed, 1957, 688 § 25.

SECT. 11 revised, 1957, 688 § 26.

SECTS. 11A–11D added, under caption, 1937, 199 (relative to certain firearms, the serial or identification numbers of which have been removed, defaced, altered, obliterated or mutilated).

SECT. 11B, sentence added at end, 1957, 688 § 27.

SECT. 11C, amended and sentence added at end, 1957, 688 § 28.

SECT. 11D repealed, 1957, 688 § 29.

SECT. 12 revised, 1951, 219; 1952, 286; amended, 1957, 688 § 30; 1956, 280.

SECTS. 12A and 12B added, 1951, 263 (regulating the sale and use of air rifles or so-called BB guns).

SECT. 12A revised, 1959, 296 § 9.

SECT. 12B revised, 1957, 688 § 31.

SECT. 12C added, 1951, 296 (prohibiting the sale or possession of certain knives having a spring release); repealed, 1957, 688 § 32.

SECT. 12D added, 1957, 688 § 33 (imposing a penalty upon persons carrying a rifle or shotgun in a public way without a valid license to do so).

SECT. 14 added, 1957, 210 (imposing a penalty upon persons making false reports relative to the location of explosives or other dangerous substances); revised, 1958, 322.

Chapter 270. — Crimes against Public Health.

SECT. 2, first sentence amended, 1949, 658.

SECT. 2B added, 1946, 517 § 1 (regulating the labelling of preparations containing DDT and certain other preparations dangerous to public health).

SECT. 3A added, 1951, 444 (relative to the placing of poison or poisoned food for the control of rats, mice or other rodents).

SECT. 5 amended, 1934, 328 § 27.

SECT. 16 added, 1949, 416 (imposing a penalty on persons who dispose of garbage or refuse on highways or private property without permission).

Chapter 271. — Crimes against Public Policy.

SECT. 1A added, 1948, 299 (providing that, for the purpose of the enforcement of laws relative to gaming and certain other crimes the words "house", "building" and "place" shall include certain ships and vessels).

SECT. 5A added, 1951, 483 (prohibiting the manufacture, sale, transportation or use of certain slot machines as gambling devices).

SECT. 6A added, 1938, 144 (making certain endless chain transactions subject to the laws relative to lotteries).

SECT. 6B added, 1953, 243 (making the game commonly known as skilo, and similar games, subject to the laws relative to lotteries).

SECT. 10 revised, 1957, 390 § 1. (See 1957, 390 § 2.)

SECT. 17A added, 1958, 246 (making it a criminal offense to use the telephone for certain gaming purposes).

SECT. 22A revised, 1934, 371; paragraphs added at end, 1936, 222, 283; section revised, 1943, 267.

SECT. 23 amended, 1934, 235 § 3, 303 § 1; 1953, 319 § 30. (See 1953, 319 §§ 39, 40.)

SECTS. 31, 33, 34 affected by 1935, 454 § 8, 471 § 2.

SECT. 39A added, 1947, 405 (imposing a penalty on persons who offer or accept bribes in certain athletic contests and sporting events).

SECT. 40 revised, 1954, 323.

SECT. 43 added, 1941, 630 § 4 (imposing a penalty for the misuse of information relative to recipients of general public assistance, old age assistance, aid to dependent children and aid to the blind); amended, 1945, 240 § 3.

SECT. 44 added, 1950, 166 § 1 (making certain settlements and releases obtained from injured persons confined in hospitals invalid). (See 1950, 166 § 2.)

SECT. 45 added, 1952, 346 (prohibiting the charging of fees solely for the registration of prospective tenants of dwellings).

SECT. 46 added, 1953, 187 (regulating the disposal of containers used for refrigerative purposes); revised, 1954, 191 § 1; 1958, 604; amended, 1959, 107; revised, 1959, 431 § 1. (See 1954, 191 § 2.)

SECT. 47 added, 1958, 347 (relative to reinstallation of telephones used in connection with gambling).

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SECT. 9 amended, 1959, 313 § 9.

SECT. 25 revised, 1933, 376 § 4.

SECT. 26 amended, 1939, 451 § 66.

SECT. 28 amended, 1934, 231; 1943, 239.

SECT. 28 stricken out, and new sections 28-28II (relative to obscene books and other obscene matter) inserted, 1945, 278 § 1. (See 1945, 278 § 2.)

SECT. 28, sentence added at end, 1948, 328; section revised, 1959, 492 § 1.

SECT. 28A revised, 1959, 492 § 2.

SECT. 28B revised, 1959, 492 § 2.

SECT. 30 stricken out and sections 30 and 30A inserted, 1956, 724 § 1. (See 1956, 724 § 2.)

SECT. 35A added, 1955, 763 § 4 (providing a mandatory prison sentence for certain persons convicted of committing an unnatural act).

SECT. 43A added, 1947, 358 (providing a penalty for smoking in public conveyances).

SECT. 45 amended, 1946, 274; revised, 1947, 409; 1959, 313 § 10.

SECT. 47 amended, 1959, 313 § 11.

SECT. 48 revised, 1956, 715 § 20.

SECTS. 51 and 52 stricken out, 1957, 660 § 2. (See 1957, 660 §§ 6, 7.)

SECT. 53 revised, 1943, 377; amended, 1956, 715 § 21; revised, 1959, 304 § 1.

SECT. 62 amended, 1956, 715 § 22.

SECT. 64 amended, 1951, 119 § 1; 1956, 715 § 23; revised, 1957, 315.

SECT. 66 amended, 1939, 451 § 67; 1951, 119 § 2.

SECT. 67 amended, 1959, 313 § 12.

SECT. 69 amended, 1959, 313 § 13.

SECT. 73 revised, 1958, 352.

SECTS. 79A and 79B added, 1934, 234 § 1 (relative to the cutting of the muscles or tendons of horses' tails and to the showing or exhibiting of horses whose tails have been so cut or have been docked). (See 1934, 234 § 2.)

SECT. 79B revised, 1946, 131.

SECT. 80 repealed, 1934, 234 § 1. (See 1934, 234 § 2.)

SECT. 80C added, 1945, 272 (penalizing the unauthorized taking of cats, dogs or birds for certain purposes); sentence added at end, 1957, 298 § 6.

SECT. 80D added, 1947, 168 (regulating the sale at retail of certain living baby chicks, ducklings and other fowl).

SECT. 84 amended, 1951, 34 § 1.

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SECT. 85A added, 1945, 276 § 1 (relative to killing, etc., of dogs and other domesticated animals and certain birds); first sentence amended, 1951, 185.

SECT. 90 amended, 1959, 313 § 14.

SECT. 91 amended, 1959, 313 § 15.

SECT. 92A added, 1933, 117 (preventing advertisements tending to discriminate against persons of any religious sect, creed, class, denomination or nationality by places of public accommodation, resort or amusement); second paragraph revised, 1953, 437.

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SECT. 98A added, 1938, 155 § 1 (entitling blind persons accompanied by "seeing eye" dogs, so called, to certain accommodations, advantages, etc.).

SECT. 98B added, 1941, 170 (to prevent discrimination in employment on public works and projects and in the dispensing of public welfare because of race, color, religion or nationality).

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SECT. 100 amended, 1956, 48 § 3; revised, 1959, 449 § 2.

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SECT. 23 added, 1959, 402 (providing a penalty for the failure by a father or mother to support a needy disabled son or daughter).

Chapter 273A. — Uniform Reciprocal Enforcement Act (former title, Enforcement of the Duty to Support Dependents).

New chapter inserted, 1951, 657 § 1.

Chapter stricken out and new chapter 273A (with new title) inserted, 1954, 556 § 1. (See 1954, 556 §§ 7-10.)

For prior changes see Table of Changes contained in Acts and Resolves of 1953.

The following references are to chapter 273A, as so inserted:

SECT. 6 revised, 1958, 239 § 1.

SECT. 9, sentence added at end, 1957, 74.

SECT. 10 revised, 1958, 239 § 2.

SECT. 12 revised, 1958, 239 § 3.

SECT. 15, first and second paragraphs revised, 1957, 110 § 1.

SECT. 15A added, 1957, 110 § 2 (excusing petitioners in proceedings under the uniform reciprocal enforcement of support act from payment of entry fees and costs in certain cases).

Chapter 274. — Felonies, Accessories and Attempts to Commit Crimes.

SECT. 4 revised, 1943, 488 § 1. (See 1943, 488 §§ 2, 3.)

Chapter 275. — Proceedings to Prevent Crimes.

SECT. 1 amended, 1959, 313 § 17.

SECT. 8 amended, 1959, 313 § 18.

SECT. 15 repealed, 1932, 180 § 42.

Chapter 276. — Search Warrants, Rewards, Fugitives from Justice, Arrest, Examination, Commitment and Bail. Probation Officers and Board of Probation.

SECT. 1, first paragraph amended, 1934, 303 § 2; clause Sixth amended, 1943, 508 § 5; clause Eleventh amended, 1934, 235 § 1; clause Sixteenth added, 1947, 93.

SECT. 1A added, 1955, 272 § 1 (providing for the issuance of search warrants for books, records and material belonging to subversive organizations). (See 1955, 272 § 2.)

SECT. 2 amended, 1959, 313 § 19.

SECT. 3 amended, 1934, 340 § 15; 1957, 660 § 3. (See 1934, 340 § 18; 1957, 660 §§ 6, 7.)

SECT. 3A added, 1934, 247 (concerning the service of search warrants).

SECT. 7 amended, 1934, 235 § 2; 1957, 660 § 4. (See 1957, 660 §§ 6, 7.)

SECT. 8 amended, 1959, 313 § 20.

SECT. 9 amended, 1947, 359.

SECTS. 10A–10D added, under caption, 1937, 208 § 1 (making uniform the law as to extraterritorial arrest on fresh pursuit and authorizing this commonwealth to co-operate with other states in connection therewith). (See 1937, 208 § 2.)

SECTS. 11–20 and caption “FUGITIVES FROM JUSTICE” stricken out and new sections 11–20R inserted, under caption “PROCEDURE ON INTERSTATE RENDITION”, 1937, 304 § 1. (See 1937, 304 §§ 2, 3.)

SECT. 21 amended, 1953, 319 § 32. (See 1953, 319 §§ 39, 40.)

SECT. 22 amended, 1959, 313 § 21.

SECT. 28 amended, 1949, 184.

SECT. 33A added, 1945, 205 (providing that certain persons held in custody shall be permitted to communicate by telephone with relatives and others); amended, 1946, 277; sentence added at end, 1958, 113.

SECT. 34 amended, 1959, 313 § 22.

SECT. 37A added, 1932, 180 § 43 (relative to the assignment of counsel to appear, on behalf of a person accused of a capital crime, at his preliminary examination); amended, 1959, 313 § 23. [For prior legislation, see G. L. chapter 277 §§ 48, 49, repealed by 1932, 180 § 44.]

SECT. 44 amended, 1959, 313 § 24.

SECT. 52A added, 1943, 131 (providing that persons held in jail for trial may be removed in certain cases to a jail in another county).

SECT. 57, first paragraph amended, 1953, 319 § 33; sentence added at end of second paragraph, 1943, 330; same paragraph revised, 1945, 235; paragraph added at end, 1939, 299 § 4. (See 1953, 319 §§ 39, 40.)

SECT. 61 amended, 1959, 313 § 25.

SECT. 79 amended, 1959, 313 § 26.

SECT. 80 amended, 1959, 313 § 27.

SECT. 83 revised, 1936, 360; amended, 1937, 186; revised, 1947, 566 § 1; sentence inserted before last sentence, 1947, 639; section revised, 1949,

783 § 1; first paragraph amended, 1950, 513, 531; revised, 1951, 774 § 1; amended, 1953, 341, 420 § 1; 1955, 735 § 1; revised, 1956, 731 § 13; second sentence revised, 1957, 272; sentence inserted after sixth sentence, 1952, 241; paragraph inserted after first paragraph, 1955, 735 § 2; revised, 1956, 731 § 13A; paragraph added at end, 1951, 774 § 2. (See 1949, 783 §§ 3, 4; 1951, 774 § 3; 1955, 735 § 3; 1956, 263, 731 §§ 29-33.)

SECT. 83A added, 1941, 677 § 1 (providing that certain district courts may join in the appointment of probation officers to act exclusively in juvenile cases therein); first paragraph amended, 1947, 566 § 2; revised, 1947, 655 § 1; amended, 1951, 563 § 1; stricken out and two paragraphs inserted, 1956, 731 § 14; paragraph added at end, 1951, 563 § 2. (See 1947, 655 § 3; 1956, 731 §§ 29-33.)

SECT. 83B added, 1947, 655 § 2 (providing for the appointment of probation officers to act exclusively in juvenile cases in certain district courts in Suffolk county); repealed, 1949, 783 § 2. (See 1947, 655 § 3; 1949, 783 § 4.)

SECTS. 83C-83F added, 1948, 640 § 1 (further regulating the compensation of certain probation officers of the district courts in Suffolk county, other than the municipal court of the city of Boston, and of the Boston juvenile court); repealed, 1949, 783 § 2. (See 1949, 783 § 4.)

SECT. 84 revised, 1937, 219 § 5; 1939, 214 § 7.

SECT. 85, sentence inserted after first sentence, 1950, 145 § 1; section amended, 1956, 731 § 15. (See 1956, 731 §§ 29-33.)

SECT. 87 amended, 1941, 264 § 2; 1955, 763 § 1.

SECT. 88, paragraph added at end, 1956, 731 § 16. (See 1956, 731 §§ 29-33.)

SECT. 89, sentence added at end, 1934, 217 § 2; first paragraph revised, 1953, 364; amended, 1956, 731 § 17; paragraph added at end, 1941, 477 § 1; amended, 1956, 731 § 17A; section revised, 1959, 526 § 1. (See 1956, 731 §§ 29-33; 1959, 526 § 2.)

SECT. 90 amended, 1938, 174 § 3.

SECT. 94 amended, 1939, 155; revised, 1939, 296 § 2; last sentence amended, 1947, 82. (See 1939, 296 § 3.)

SECT. 97 revised, 1941, 677 § 2; amended, 1956, 731 § 18. (See 1956, 731 §§ 29-33.)

SECT. 98 amended, 1932, 145; caption stricken out and section revised, 1956, 731 § 19. (See 1956, 731 §§ 29-33.)

SECT. 99, sentence inserted after third sentence, 1952, 348; section revised, 1956, 731 § 20. (See 1956, 731 §§ 29-33.)

SECT. 99A added, 1956, 731 § 21 (establishing a committee on probation). (See 1956, 731 §§ 29-33.)

SECT. 100 amended, 1943, 64; revised, 1953, 319 § 34; revised, 1956, 731 § 22. (See 1953, 319 §§ 39, 40; 1956, 731 §§ 29-33.)

SECT. 101 amended, 1936, 30 § 1; revised, 1956, 731 § 23. (See 1936, 30 § 2; 1956, 731 §§ 29-33.)

SECT. 101A added, 1947, 364 § 1 (providing for uniform forms of blanks and records for use by district court probation offices); revised, 1956, 731 § 24. (See 1956, 731 §§ 29-33.)

SECT. 102 amended, 1947, 364 § 2; 1956, 731 § 25. (See 1956, 731 §§ 29-33.)

SECT. 103 revised, 1956, 731 § 26. (See 1956, 731 §§ 29-33.)

Chapter 277. — Indictments and Proceedings before Trial.

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SECT. 2 amended, 1932, 144 § 6.

SECT. 38 amended, 1957, 660 § 5. (See 1957, 660 §§ 6, 7.)

SECTS. 48 and 49 repealed, 1932, 180 § 44. (See G. L. chapter 276 § 37A, inserted by 1932, 180 § 43.)

SECT. 50 repealed, 1936, 161 § 1. (See 1936, 161 § 3.)

SECT. 58A added, 1943, 311 § 1 (relative to the venue of the crime of buying, receiving or aiding in the concealment of stolen or embezzled property). (See 1943, 311 § 2.)

SECT. 58B added, 1948, 77 § 1 (relative to the venue of prosecutions for embezzlement or fraudulent conversion or appropriation by fiduciaries). (See 1948, 77 § 2.)

SECT. 63, sentence inserted after first sentence, 1955, 781 § 1. (See 1955, 781 § 2.)

SECT. 65 amended, 1936, 161 § 2. (See 1936, 161 § 3.)

SCHEDULE OF FORMS OF PLEADINGS at end of chapter amended, 1934, 328 § 29; paragraph entitled "Accessory after the fact" amended by striking out all after word "punishment" in line 5, 1943, 488 § 2; paragraph entitled "Escape" revised, 1955, 770 § 90; paragraph entitled "Prostitute", inserted, 1959, 304 § 2. (See 1943, 488 § 3; 1955, 770 §§ 117, 123.)

Chapter 278. — Trials and Proceedings before Judgment.

SECT. 15 amended, 1955, 131 § 7.

SECT. 16B added, 1949, 302 (providing that the general public may be excluded from the court room during the trial of any criminal proceeding in a district court involving husband and wife).

SECT. 18 amended, 1955, 131 § 8.

SECT. 19 amended, 1955, 131 § 9.

SECT. 21 stricken out, 1955, 131 § 10.

SECT. 22 amended, 1955, 131 § 11.

SECT. 25 amended, 1937, 311; 1955, 131 § 12.

SECTS. 28A-28D added, 1943, 558 § 1 (establishing in the superior court an appellate division for the review of certain sentences in criminal cases). (See 1943, 558 § 2.)

SECT. 28A revised, 1945, 255 § 1. (See 1945, 255 § 4.)

SECT. 28B, first paragraph amended, 1945, 255 § 2. (See 1945, 255 § 4.)

SECT. 28C amended, 1945, 255 § 3; 1955, 770 § 91; revised, 1957, 777 § 36. (See 1945, 255 § 4; 1955, 770 §§ 117, 123.)

SECT. 29 revised, 1939, 271 § 1; first sentence amended, 1957, 302. (See 1939, 271 § 2.)

SECT. 29A added, 1959, 167 § 1 (permitting any district court to revise or revoke a sentence imposed without trial after a plea of guilty or nolo contendere). (See 1959, 167 § 2.)

SECT. 30A added, 1954, 528 (providing for interlocutory reports to the supreme judicial court in criminal cases).

SECT. 31, second sentence revised, 1953, 384.

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SECT. 1A amended, 1934, 205 § 2. (See 1934, 205 § 3.)

SECT. 2 amended, 1949, 584.

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SECT. 4 revised, 1935, 50 § 3, 437 § 3; second paragraph amended, 1955, 770 § 92; revised, 1957, 777 § 37. (See 1935, 50 § 6, 437 § 8; 1955, 770 §§ 117, 123.)

SECT. 4A, sentence added at end, 1950, 145 § 2.

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SECT. 9 amended, 1932, 221 § 2; 1955, 770 § 94. (See 1955, 770 §§ 117, 123.)

SECT. 11 amended, 1934, 328 § 28.

SECT. 18 revised, 1947, 516; 1951, 134; amended, 1956, 715 § 24.

SECT. 19 amended, 1955, 770 § 95. (See 1955, 770 §§ 117, 123.)

SECT. 20 amended, 1955, 770 § 96. (See 1955, 770 §§ 117, 123.)

SECT. 22 repealed, 1955, 770 § 122. (See 1955, 770 §§ 117, 123.)

SECT. 26 revised, 1946, 276.

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SECT. 28 amended, 1946, 275; 1955, 770 § 98. (See 1955, 770 §§ 117, 123.)

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SECT. 30 revised, 1951, 642.

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SECT. 32 revised, 1955, 770 § 100. (See 1955, 770 §§ 117, 123.)

SECT. 33 amended, 1952, 90; 1956, 715 § 25.

SECT. 33A added, 1955, 770 § 101 (providing that a prisoner may be deemed to have served a portion of the sentence imposed in certain cases); revised, 1958, 173. (See 1955, 770 §§ 117, 123.)

SECT. 34, sentence added at end, 1955, 770 § 102. (See 1955, 770 §§ 117, 123.)

SECT. 35 amended, 1955, 770 § 103. (See 1955, 770 §§ 117, 123.)

SECT. 36 amended, 1955, 770 § 104; revised, 1956, 715 § 26. (See 1955, 770 §§ 117, 123.)

SECT. 37 amended, 1953, 319 § 36. (See 1953, 319 §§ 39, 40.)

SECT. 39 amended, 1955, 770 § 105; revised, 1957, 777 § 38. (See 1955, 770 §§ 117, 123.)

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SECT. 43 revised, 1935, 50 § 4, 437 § 4; amended, 1955, 770 § 107; revised, 1957, 777 § 40. (See 1935, 50 § 6, 437 § 8; 1955, 770 §§ 117, 123.)

SECT. 44 revised, 1935, 50 § 5, 437 § 5; amended, 1955, 770 § 108; revised, 1957, 777 § 41. (See 1935, 50 § 6, 437 § 8; 1955, 770 §§ 117, 123.)

SECT. 45 revised, 1935, 437 § 6; amended, 1955, 770 § 109; revised, 1957, 777 § 42. (See 1935, 437 § 8; 1955, 770 §§ 117, 123.)

SECT. 46 amended, 1955, 770 § 110; revised, 1957, 777 § 43. (See 1955, 770 §§ 117, 123.)

SECT. 48 revised, 1951, 515; amended, 1955, 770 § 111; revised, 1957, 777 § 44. (See 1955, 770 §§ 117, 123.)

SECT. 50 amended, 1955, 770 § 112; revised, 1956, 731 § 27; 1957, 777 § 45. (See 1955, 770 §§ 117, 123; 1956, 731 §§ 29-33.)

SECT. 51 revised, 1956, 731 § 28. (See 1956, 731 §§ 29-33.)

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SECT. 6 revised, 1937, 251 § 1. (See 1937, 251 § 2.)

SECT. 16 amended, 1953, 319 § 38. (See 1953, 319 §§ 39, 40.)

The Commonwealth of Massachusetts

OFFICE OF THE SECRETARY, BOSTON, NOVEMBER 17, 1959.

I certify that the acts and resolves contained in this volume are true copies of the originals on file in this department.

I further certify that the table of changes in general laws and the index have been prepared, and are printed as an appendix to this edition of the laws, under the direction of the Committees on Rules of the two branches of the General Court, in accordance with the provisions of section 51 of chapter 3 of the General Laws.

JOSEPH D. WARD,

Secretary of the Commonwealth.

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